

FEDERAL REGISTER

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PART I

(Part II begins on page 15121)

Agencies in this issue—

The President
Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Customs Bureau
Education Office
Federal Aviation Agency
Federal Communications Commission
Federal Power Commission
Federal Register Administrative
Committee
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Health, Education, and Welfare
Department
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
National Park Service
Securities and Exchange Commission
Small Business Administration
Treasury Department

Detailed list of Contents appears inside.



Latest Edition

Guide to Record Retention Requirements

[Revised as of January 1, 1965]

This useful reference tool is designed to keep industry and the general public informed concerning published requirements in laws and regulations relating to records-retention. It contains about 900 digests detailing the retention periods for the many types of records required to be kept under Federal laws and rules.

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keep them, and (3) how long they must be kept. Each digest also includes a reference to the full text of the basic law or regulation governing such retention.

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List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

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Executive Order 11259

AMENDING EXECUTIVE ORDER NO. 11157 AS IT RELATES TO INCENTIVE PAY FOR HAZARDOUS DUTY INVOLVING PARACHUTE JUMPING

By virtue of the authority vested in me by Section 301(a) of Title 37, United States Code, and as President of the United States and Commander in Chief of the Armed Forces of the United States, Section 108(c) of Executive Order No. 11157¹ of June 22, 1964, is hereby amended by adding the following new sentence at the end thereof:

"The minimum requirements may be waived by the commanding officer of a member for any period that the member is unable to perform the required jumps by reason of being engaged in combat operations in a hostile fire area designated under Section 310 of Title 37 of the United States Code."

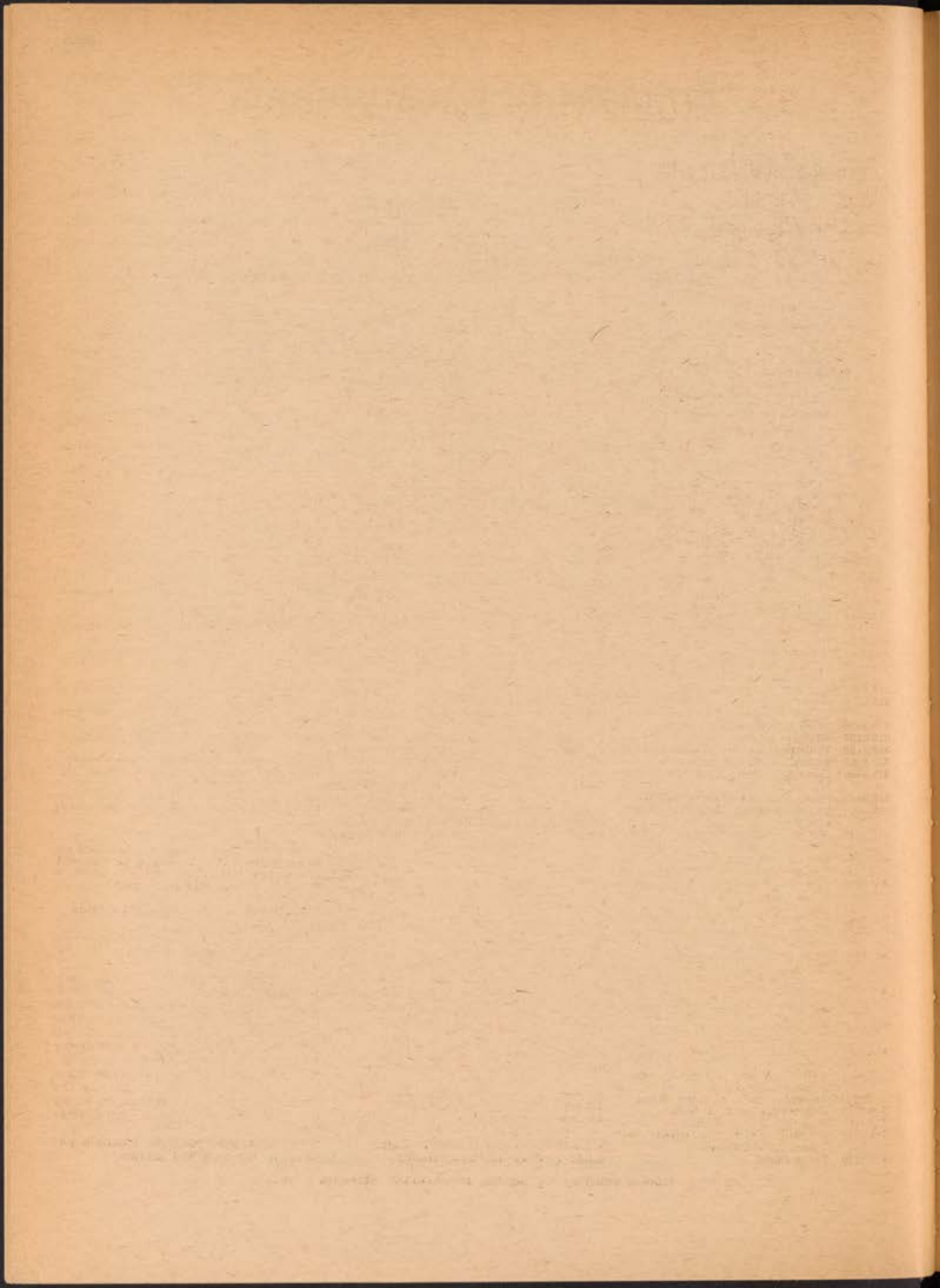
This Order shall be effective December 1, 1965.

LYNDON B. JOHNSON

THE WHITE HOUSE,
December 3, 1965.

[F.R. Doc. 65-13165; Filed, Dec. 6, 1965; 11:12 a.m.]

¹ 3 CFR 1964 Supp., p. 139.



Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

SUBCHAPTER B—CIVIL SERVICE REGULATIONS

PART 213—EXCEPTED SERVICE

Part 213 is revised to read as follows:

Subpart A—General Provisions

- Sec.
213.101 Definitions.
213.102 Identification of positions in Schedule A, B, or C.

Subpart B—[Reserved]

Subpart C—Excepted Schedules

SCHEDULE A

- 213.3101 Positions other than those of a confidential or policy-determining character for which it is not practicable to examine.
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213.3105 Treasury Department.
213.3106 Department of Defense.
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213.3126 Office of Emergency Planning.
213.3127 Veterans Administration.
213.3128 United States Information Agency.
213.3129 Federal Power Commission.
213.3130 Securities and Exchange Commission.
213.3132 Small Business Administration.
213.3133 Federal Deposit Insurance Corporation.
213.3135 National Capital Housing Authority.
213.3136 U.S. Soldiers' Home.
213.3137 General Services Administration.
213.3138 Federal Communications Commission.
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213.3141 National Labor Relations Board.
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213.3166 President's Committee on Juvenile Delinquency and Youth Crime.
213.3169 President's Committee on Equal Opportunity in Housing.
213.3170 Civil Service Commission.
213.3174 Smithsonian Institution.
213.3178 Atlantic-Pacific Inter-oceanic Canal Study Commission.
213.3179 The President's Commission on Crime in the District of Columbia.
213.3181 The President's Commission on Law Enforcement and Administration of Justice.
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213.3206 Department of Defense.
213.3209 Department of the Air Force.
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213.3315 Department of Labor.
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213.3323 General Accounting Office.
213.3325 The Tax Court of the United States.
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213.3329 Federal Power Commission.
213.3330 Securities and Exchange Commission.
213.3331 National Mediation Board.
213.3332 Small Business Administration.
213.3333 Federal Deposit Insurance Corporation.
213.3334 Federal Trade Commission.
213.3337 General Services Administration.
213.3338 Federal Communications Commission.
213.3339 U.S. Tariff Commission.
213.3340 Civil Aeronautics Board.
213.3341 National Labor Relations Board.
213.3342 Export-Import Bank of Washington.
213.3343 Farm Credit Administration.
213.3344 Housing and Home Finance Agency.
213.3345 Indian Claims Commission.
213.3347 Federal Mediation and Conciliation Service.
213.3348 National Aeronautics and Space Administration.
213.3350 Foreign Claims Settlement Commission of the United States.
213.3351 Subversive Activities Control Board.
213.3352 St. Lawrence Seaway Development Corporation.
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213.3359 National Capital Transportation Agency.
213.3360 Peace Corps.
213.3364 U.S. Arms Control and Disarmament Agency.
213.3367 Federal Maritime Commission.
213.3368 Agency for International Development.
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213.3371 President's Committee on Consumer Interest.
213.3372 Administrative Office of the U.S. Courts.
213.3373 Office of Economic Opportunity.
213.3375 President's Council on Equal Opportunity.
213.3376 Appalachian Regional Commission.
213.3377 Equal Employment Opportunity Commission.
213.3380 Water Resources Council.

AUTHORITY: The provisions of this Part 213 issued under R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp.

Subpart A—General Provisions

§ 213.101 Definitions.

In this part and elsewhere in this chapter:

(a) "Excepted service" means "unclassified service," "unclassified civil service," and "positions outside the competitive civil service," as used in statutes and Executive orders, and includes all positions in the executive branch of the Federal Government which are specifically excepted from the competitive service by or pursuant to statute, by the President, or by the Commission under § 6.1, Subchapter A, of the Civil Service Rules.

(b) "Excepted position" means a position in the excepted service.

§ 213.102 Identification of positions in Schedule A, B, or C.

The Commission shall decide whether the duties of any particular position are such that it may be filled as an excepted position under Schedule A, B, or C.

Subpart B—[Reserved]

Subpart C—Excepted Schedules

SCHEDULE A

§ 213.3101 Positions other than those of a confidential or policy-determining character for which it is not practicable to examine.

(a) The positions enumerated in §§ 213.3102 to 213.3199 are positions other than those of a confidential or policy-determining character for which it is not practicable to examine and which are excepted from the competitive service and constitute Schedule A.

(b) An agency (including a military department) may not appoint the son or daughter of a civilian employee of that agency, or the son or daughter of a member of its uniformed service, to a position listed in Schedule A for part-time, seasonal, intermittent, or other temporary employment within the United States, between May 1, 1965, and September 30, 1965; except that this prohibition shall not apply to the appointment of persons who are eligible for placement assistance under the Commission's Separated Career Employee (SCE) Program.

§ 213.3102 Entire executive civil service.

(a) Positions of Chaplain and Chaplain's Assistant.

(b) Cooks, except at fixed locations such as hospitals, quarantine stations, and penal institutions.

(c) Positions to which appointments are made by the President without confirmation by the Senate.

(d) Attorneys.

(e) Law clerk trainee positions. Appointments under this paragraph shall be confined to graduates of recognized law schools or persons having equivalent experience and shall be for periods not to exceed 14 months pending admission to the bar. No person shall be given more than one appointment under this paragraph. However, an appointment which was initially made for less than 14 months may be extended for not to exceed 14 months in total duration.

(f) Chinese, Japanese, and Hindu interpreters.

(g) Any position the duties of which are part-time or intermittent in which the appointee will receive compensation during his service year that aggregates not more than 40 percent of the annual salary rate for the first step of GS-3. This limitation on compensation includes any premium pay such as for overtime, night, Sunday, or holiday work. It does not, however, include any mandatory within-grade salary increases to which the employee becomes entitled subsequent to appointment under this authority. Appointments under this authority shall not be for job employment. In the metropolitan area of Washington,

D.C., appointments under this authority shall be subject to the prior approval of the Commission.

(h) Subject to prior approval by the Commission, positions in Federal mental institutions when filled by persons who have been patients of such institutions and been discharged and are certified by the medical head thereof as recovered sufficiently to be regularly employed but it is believed desirable and in the interest of the persons and the institution that they be employed at the institution.

(i) Subject to prior approval of the Commission, positions requiring temporary, part-time, or intermittent employment in wage board type occupations (i.e., positions excluded from Classification Act coverage by section 202(7) of the Act) on construction or repair work, where the activity is carried on in localities where examination coverage for the positions has not been provided and where because of employment conditions there is a shortage of available candidates for the positions. Appointments under this paragraph shall not extend beyond 1 year, and the employment thereunder shall not exceed 180 working days a year. Seasonal employments of a recurring nature are not authorized under this paragraph.

(j) [Reserved]

(k) Positions without compensation provided appointments thereto meet the requirements of applicable laws relating to compensation.

(l) Positions requiring the temporary or intermittent employment of professional, scientific, or technical experts for consultation purposes.

(m) Nonsupervisory positions of custodial laborer (levels 1, 2, and 3) and general laborer (levels 2 and 3) in field establishments outside central office and regional office cities of the Commission where examination coverage has not been provided for the positions, as follows:

(1) For temporary, intermittent, or seasonal employment (exclusive of positions covered by paragraph (i) of this section) not to exceed 180 working days a year in the Departments of Agriculture, Commerce, and Interior, in the Federal Aviation Agency, and in the International Boundary and Water Commission; or

(2) When it is specifically held by the Commission that this authority is applicable, for employment in localities that are isolated with respect to labor supply and where there is a shortage of available candidates for the positions.

(n) Any local physician, surgeon, or dentist employed under contract or on a part-time or fee basis when, in the opinion of the Commission, appointment through competitive examination is impracticable.

(o) Positions of a scientific, professional, or analytical nature when filled by bona fide members of the faculty of an accredited college or university who have special qualifications for the positions to which appointed. Employments under this provision shall not exceed 130 working days a year.

(p) Positions of a scientific, professional, or analytical nature when filled

by bona fide graduate students at accredited colleges or universities provided that the work performed for the agency is to be used by the student as a basis for completing certain academic requirements toward a graduate degree. Employments under this provision may be continued only so long as the foregoing conditions are met, and the total period of such employment shall not exceed one year in any individual case; *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed an additional year.

(q) Temporary or intermittent positions at GS-7 and below when the appointees are to assist scientific, professional, or technical employees. Persons employed under this provision shall be (1) bona fide students at high schools or accredited colleges or universities pursuing courses related to the field in which employed; or (2) bona fide high school science and mathematics teachers. No person shall be employed under this provision (i) in a position of a routine clerical type; or (ii) in excess of 1,040 working hours a year; except that the 1,040-working-hours-a-year limitation shall not apply to persons employed under this provision in positions at GS-5 and below which are established in connection with an organized work-study program involving alternating periods of work experience and related study at an accredited college or university in a co-operative curriculum in which the work experience is a prerequisite to the award of a degree.

(r) All positions of a project nature when filled by individuals the salaries for whom are paid out of funds allocated by the President under authority of Public Law 87-658, approved September 14, 1962, the Public Works Acceleration Act. Employment under this authority shall be for a temporary period not to exceed one year.

(s) [Reserved]

(t) Not to exceed September 30, 1968, and subject to prior approval of the Civil Service Commission, positions when filled by mentally retarded persons in accordance with written agreements executed between an agency and the Civil Service Commission. Provisions to be included in such agreements are specified in the Federal Personnel Manual.

(u) Until June 30, 1968, and for not more than 100 positions and subject to prior approval of the Commission, a position when filled by a severely handicapped person who, under temporary appointment, has demonstrated his ability to perform satisfactorily the duties of the position.

(v) [Reserved]

(w) Part-time or intermittent positions, the duties of which involve laboring or other work of a routine nature when filled by students appointed in furtherance of the President's Youth Opportunity Back-to-School Drive and when the following conditions are met:

(1) Appointees are enrolled in or accepted for enrollment in a resident secondary school or institution of higher learning, accredited by a recognized accrediting body;

(2) Employment does not exceed 15 hours in any calendar week;
(3) While employed, appointees continue to maintain an acceptable school standing;

(4) Appointees need the earnings from the employment to continue in school; and

(5) Salaries are fixed by the agency head at a level commensurate with the duties assigned and the expected level of performance.

Appointments under this authority may not extend beyond one year: *Provided*, That such appointments may be extended for additional periods of not to exceed one year each if the conditions for initial appointment are still met. An agency head may not appoint under this authority the son or daughter of a civilian employee of that agency or the son or daughter of a member of its uniformed service. A person may not be appointed under this authority unless he has reached his 16th but not his 22d birthday.

§ 213.3103 Executive Office of the President.

(a) *Office of Science and Technology.* (1) All professional positions on the Staff of the Office.

§ 213.3104 Department of State.

(a) *Office of the Secretary.* (1) Six Physical Science Administration Officers at GS-14 and above in the Office of International Scientific Affairs.

(2) Six positions of Member of the Executive Secretariat.

(3) Chief, Reports and Operations Staff, Executive Secretariat.

(4) Four Assistants to the Executive Secretary, Executive Secretariat.

(5) Executive Officer, Executive Secretariat.

(6) Chief, Correspondence Review Staff, Executive Secretariat.

(7) Not to exceed January 1, 1966, not more than five Protocol Officers, grades GS-5 to -13 in the Office of Protocol; and not more than ten Representational Services Officers, grades GS-5 to -15 in the Office of Special Representational Services.

(b) *Bureau of Intelligence and Research.* (1) Not to exceed 35 professional and technical positions.

(2) Two professional positions in the Division of Intelligence Acquisition and Distribution.

(c) *International Boundary and Water Commission, United States and Mexico.* (1) Gage readers employed part time or intermittently at isolated localities when, in the opinion of the Commission, appointment through competitive examination is impracticable.

(2) Not to exceed 27 Realty Officers, Appraisers, Negotiators, Specialists, and Assistants, GS-5 through 14. Not to exceed five Interviewers (Interpreter), GS-5 through 11. Appointment under this authority may not extend beyond four years from the date of authorization of the Chamizal Project.

(3) Not to exceed three Administrative Assistants GS-7 through 11. Appointments under this authority may not

extend beyond four years from the date of authorization of the Chamizal Project.

(d) *International Boundary Commission, United States and Canada.* (1) Temporary and intermittent field employees such as instrumentmen, foremen, recorders, packers, cooks, and axemen, for not to exceed 130 working days or 6 months within any 1 calendar year.

(e) *Office of the Assistant Secretary for Public Affairs.* (1) Chief, Public Studies Division.

(2) Chief, Public Services Division.

(3) Chief, Historical Division.

(4) One Special Assistant to the Chief, News Division.

(5) One Special Assistant to the Deputy Assistant Secretary (Domestic Affairs).

(f) *Bureau of International Organization Affairs.* (1) One Special Assistant to the Assistant Secretary.

§ 213.3105 Treasury Department.

(a) *Bureau of Narcotics.* (1) Fifty positions of Narcotic Agent for undercover work.

(b) *Bureau of Customs.* (1) Positions in foreign countries designated as "interpreter-translator" and "special employees," when filled by appointment of persons who are not citizens of the United States; and positions in foreign countries of messenger and janitor.

(2) [Reserved]

(3) Part-time, intermittent, or temporary Customs Inspectors, Deputy Collectors, and Deputy Collectors in Charge in Alaska at a salary rate not in excess of GS-8, for not to exceed 130 working days a year.

(4) Positions of day "pickup" laborers whose assignments are to intermittent duties of short duration that must be performed without delay in field establishments where hiring of "pickup" laborers is authorized by the Bureau of Customs headquarters. Persons appointed under this authority may not be employed in this kind of work in the Bureau of Customs for more than 180 working days a year under this authority or under a combination of this authority and any other authority for excepted appointment that may be appropriate. This authority is not appropriate for job employment.

(5) Positions at the GS-9 grade level and below of customs enforcement officer, customs inspector, customs marine clerk/officer, customs sampler, customs warehouse officer, deputy collector, interpreter, janitor, and laborer that are of a continuing nature, and the duties of which are intermittent or part-time and require the services of an employee for not more than 700 hours of employment during his service year. A person appointed under this authority may not be employed in the Bureau of Customs under a combination of this authority and any other authority for excepted appointment for more than 700 hours during his service year.

(6) Twenty-five positions of Criminal Investigator for special assignments.

(7) One position of Confidential Assistant to the Commissioner of Customs.

(8) Staff assistant positions established to aid in the reorganization of the Bureau of Customs under Reorganization Plan No. 1 of 1965, when filled by persons with 1 year or more of current service as a Presidential appointee in a key position in the Bureau. No person may be employed under this paragraph in excess of 3 years.

(c) *Coast Guard.* (1) Lamplighters.

(2) Professors, associate professors, assistant professors, instructors, one principal librarian, one cadet hostess, and one psychologist (counseling) at the Coast Guard Academy, New London, Conn.

(d) *U.S. Savings Bonds Division.* (1) Positions of State Director and Deputy State Director, and Regional Director and Assistant Regional Director.

(e) *Internal Revenue Service.* (1) Fifty positions of investigator for special assignments.

§ 213.3106 Department of Defense.

(a) *Office of the Secretary.* (1) Five Special Advisers in the immediate office of the Secretary or Deputy Secretary with responsibility for studies and recommendations in broad program areas. These positions have advisory rather than operating duties, except as operating or administrative responsibility may be exercised in connection with pilot studies.

(2) Positions assigned exclusively to Communications Intelligence Activities.

(3) Positions assigned to or in support of special classified training activities.

(4) Three Staff Assistants.

(5) Not to exceed January 1, 1966, 8 positions of Regional Director in the Office of the Assistant Secretary of Defense (Civil Defense).

(b) *Entire Department (including the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force).* (1) Professional positions in Military Dependent School Systems overseas.

(2) Positions in Attache Systems overseas, including positions in the Naval Research Branch Office in London.

(3) Positions of clerk-translator, translator, and interpreter overseas.

(4) Positions of Educational Specialist the incumbents of which will serve as Director of Religious Education on the Staffs of the Chaplains in the military services.

(5) Positions under the program for utilization of alien scientists approved under pertinent directives administered by the Director of Defense Research and Engineering of the Department of Defense when occupied by alien scientists initially employed under the program including those who have acquired United States citizenship during such employment.

(6) Until December 31, 1966, not to exceed 75 positions to be filled by foreign nationals designated by the Department as eligible for resettlement assistance.

(c) *Interdepartmental Activities.* (1) Positions in support of National Security Programs and Space Council Activities.

(d) *General.* (1) Positions the duties of which are of a quasi-military nature and involve the security of secret or confidential matter when, in the opinion of the Commission, appointment through competitive examination is impracticable.

§ 213.3107 Department of the Army.

(a) *General.* (1) Positions the duties of which are of a quasi-military nature and involve the security of secret or confidential matter when, in the opinion of the Commission, appointment through competitive examination is impracticable.

(2) Unskilled laborers and munitions handlers engaged in handling Ordnance materiel, including ammunition, where temporary or intermittent employment is necessary.

(3) Student occupational therapist positions in Army hospitals. Appointments to these positions will not extend beyond the training period applicable to each individual case, which is a minimum of 3 months' training and a maximum of 12 months' training, depending upon the individual's previous clinical training.

(4) [Reserved]

(5) Positions assigned exclusively to Army Communications Intelligence Activities.

(6) Trainee student medical technologist (intern) positions at the Rodriguez Army Hospital, Fort Brooke, Puerto Rico. Appointments to these positions will not extend beyond the training period applicable to each individual case, depending upon the individual's previous clinical training. Employment under this provision may not exceed 1 year in any individual case: *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed an additional year. This authority shall be applied only to positions whose compensation is fixed in accordance with the provisions of section 3 of Public Law 80-330.

(b) *Transportation Corps.* (1) Longshoremen and stevedores employed at ports of embarkation in the United States; and all positions on vessels operated by the Transportation Corps.

(c) *Corps of Engineers.* (1) Land appraisers employed on a temporary basis for a period not to exceed 1 year on special projects where knowledge of local values or conditions or other specialized qualifications not possessed by appraisers regularly employed by the Corps of Engineers are required for successful results.

(2) Nonsupervisory positions of custodial laborer (levels 1, 2, and 3) and general laborer (levels 2 and 3) on survey, construction, short-term maintenance, or floating-plant operations, where because of turnover, lack of housing facilities, mobility of work site, or remoteness of personnel servicing facilities, an adequate labor force can be recruited only by immediate gate hiring on a local basis. This authority can be used only when the Commission has determined that it is specifically applicable to a given situation; ordinarily, it will not be used for

employment in Civil Service central office, regional, and branch office cities or in cities where there is a local Board of U.S. Civil Service Examiners to service the employing establishment.

(3) Positions of Academic Director, Department Head, and Instructor at the U.S. Military Academy Preparatory School, Fort Belvoir, Va.

(d) *U.S. Military Academy, West Point, N.Y.* (1) Civilian professors, instructors, teachers (except teachers at the Children's School), hostesses, chapel organist and choirmaster, librarian when filled by an officer of the Regular Army retired from active service, and military secretary to the Superintendent when filled by a Military Academy graduate retired as a regular commissioned officer for disability.

(e) *National War College, Washington, D.C.* (1) Civilian directors of studies for employment of not to exceed 1 year: *Provided*, That such employment may, with the prior approval of the Commission, be extended for not to exceed 1 additional year.

(f) *Joint Brazil-United States Defense Commission.* (1) One position of clerk-stenographer-translator or civilian aide requiring a knowledge of English, Portuguese, and Spanish.

(g) *Defense Language Institute.* (1) Language instructor positions and professional positions at the West Coast Branch whose duties require supervising the language instructors or developing and evaluating instructional material and methods directly related to the teaching of foreign languages.

(2) Typists of foreign language material at the West Coast Branch whose duties require them to make corrections in grammar and spelling of the material typed.

(3) Professors, instructors, and teachers at the East Coast Branch.

(4) Foreign language instructor positions at local Army language training facilities established pursuant to the Defense Language Program.

(h) *Army War College, Carlisle Barracks, Pa.* (1) One position of Educational Specialist for employment of not to exceed 1 year: *Provided*, That such employment may, with the prior approval of the Commission, be extended for not to exceed 1 additional year.

(i) *Army Biological Laboratories, Fort Detrick, Md.* (1) Scientific and professional research associate positions at the Army Biological Laboratories, Fort Detrick, Md., when filled on a temporary or intermittent basis by persons having a doctoral degree in the biophysical or biological sciences or related fields of study for research activities of mutual interest to the appointee and the Laboratories. No more than 5 new appointments may be made in any one calendar year. Employment under this provision shall not exceed 1 year in any individual case: *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed an additional year.

§ 213.3108 Department of the Navy.

(a) *General.* (1) Intelligence and Counter Intelligence positions assigned

exclusively to Naval Intelligence Activities and positions assigned to Naval Security Group Activities/Functions.

(2) [Reserved]

(3) Positions of teachers in indigenous schools at Chichi Jima, Bonin-Volcano Islands.

(4) Not to exceed 50 positions of Resident-in-Training at U.S. Naval hospitals which have residency training programs, when filled by residents assigned as affiliates for part of their training from non-Federal hospitals. Assignments to these positions shall be on a temporary (full-time or part-time) or intermittent basis, shall not amount to more than 6 months for any person, and shall be only to positions excepted from the Classification Act under the provisions of Public Law 330 of the 80th Congress.

(5) One Staff Assistant to the Naval Aide to the President.

(6) Until June 30, 1967, not to exceed 16 positions when occupied by U.S. citizens who were serving under excepted or overseas limited appointment at the Naval Base at Guantanamo Bay, Cuba, during October 1962.

(7) Positions of Student Social Worker for temporary, part-time, or intermittent employment in Navy hospitals when filled by bona fide students enrolled in academic institutions: *Provided*, That the work performed in the agency is to be used by the student as a basis for completing certain academic requirements required by such educational institution to qualify for a graduate degree in social work. This authority shall be applied only to positions the compensation of which is fixed in accordance with the provisions of section 3 of Public Law 80-330.

(8) Positions of Student Practical Nurse for temporary, part-time, or intermittent employment in Naval Hospitals and Station Hospitals, when filled by trainees enrolled in a non-Federal institution in an approved program of educational and clinical training which meets the requirements for licensing as a practical nurse. This authority shall be applied only to positions the compensation of which is fixed in accordance with the provisions of section 3 of Public Law 80-330.

(b) *U.S. Naval Academy.* (1) Professors, instructors, and teachers in the U.S. Naval Academy, the U.S. Naval Postgraduate School, and the Naval War College; and the librarian, organist-choirmaster, registrar, the Dean of Admissions at the U.S. Naval Academy, and social counselors.

(c) *U.S. Naval Home.* (1) Positions of Orderly when filled by the appointment of beneficiaries of the Home.

(d) *Military Sea Transportation Service.* (1) All positions on vessels operated by the Military Sea Transportation Service.

(e) *U.S. Naval Research Laboratory, Washington, D.C.; U.S. Navy Electronics Laboratory, San Diego, Calif.; U.S. Naval Ordnance Laboratory, White Oak, Silver Spring, Md.; U.S. Naval Weapons Laboratory, Dahlgren, Va.; and David Taylor Model Basin, Washington, D.C.* (1)

Scientific and professional research associate positions when filled on a temporary or intermittent basis by persons having a doctoral degree in physical science or related fields of study, for research activities of mutual interest to the appointees and the Laboratory. Appointments under this provision may not exceed 20 each calendar year at the Naval Research Laboratory, 6 each calendar year at the U.S. Navy Electronics Laboratory, 10 each calendar year at the U.S. Naval Ordnance Laboratory, 10 each calendar year at the U.S. Naval Weapons Laboratory, and 10 each calendar year at the David Taylor Model Basin. Employment under this provision will not exceed 1 year in any individual case: *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed an additional year.

(f) *U.S. Naval Radiological Defense Laboratory, San Francisco, California.*

(1) Scientific and professional research positions at GS-12 and above when filled on a temporary basis by persons having a doctoral degree or its equivalent in natural science and related fields of study, for research activities of mutual interest to the appointee and the Laboratory. Total employment under this provision may not exceed six positions at any one time. Employment under this provision may not exceed 1 year in any individual case: *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed 1 additional year.

(g) *U.S. Medical Research Institute, National Naval Medical Center, Bethesda, Maryland.* (1) Scientific and professional resident research associate positions when filled on a temporary basis by persons having a doctoral degree in an appropriate biological or biochemical science, or in medicine or related fields of study, for research activities of mutual interest to the appointee and the Institute. Total employment under this provision may not exceed five positions at any one time. Employment under this provision shall not exceed 1 year in any individual case: *Provided*, That such employment may, with the prior approval of the Commission, be extended for not to exceed an additional year.

§ 213.3109 Department of the Air Force.

(a) *Office of the Secretary.* (1) Four Special Assistants in the Office of the Secretary of the Air Force. These positions have advisory rather than operating duties except as operating or administrative responsibilities may be exercised in connection with pilot studies.

(b) and (c) [Reserved]

(d) *U.S. Air Force Academy, Colorado.* (1) Positions of Cadet Hostesses, Instructors in Physical Education, and two Instructors in Music (Choirmasters).

(e) *The Air Force Systems Command and the Office of Aerospace Research.*

(1) Scientific and professional research associate positions when filled on a temporary or intermittent basis by persons having a doctoral degree in physical science or related fields of study, for

research activities of mutual interest to the appointee and the Command. Total employment under this provision may not exceed 20 positions at any one time. Employment under this provision shall not exceed 1 year in any individual case: *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed an additional year.

§ 213.3110 Department of Justice.

(a) *General.* (1) Field Deputy U.S. Marshals employed on an hourly basis for intermittent service.

(2) Positions of temporary deputy marshals in lieu of bailiff in the United States courts when employed on an intermittent basis.

(3) U.S. Marshal in the Virgin Islands.

(4) Until December 31, 1966, 25 professional, technical, and administrative positions at grade GS-11 and above to staff the program under the Law Enforcement Assistance Act of 1965.

(b) *Immigration and Naturalization Service.* (1) Information Officer.

(2) Four positions of Regional Commissioner.

§ 213.3111 Post Office Department.

(a) *General.* (1) Clerks in fourth-class post offices.

(2) Substitute Rural Carriers employed:

(i) During the incumbency of a Rural Carrier to serve the Carrier's route when he is absent on leave or for military duty, or

(ii) To serve pending the filling of a Rural Carrier vacancy, provided that the Post Office Department shall obtain prior approval of the Commission for employment of any substitute in a Rural Carrier vacancy in excess of 90 days.

(3) Special delivery messengers in second-, third-, and fourth-class post offices.

(4) One Administrative Assistant to each Regional Director (15 positions).

(5) One Administrative Assistant to the Assistant to the Regional Director (Dallas Region).

(6) One Administrative Assistant to the Assistant to the Regional Director (St. Louis Region).

(7) Clerks employed on a part-time basis in third-class post offices in Alaska.

(8) Fourth-class postmaster positions in Alaska.

(9) Positions (other than Postmaster) in Samoa, The Trust Territory, Canton Island, and Wake Island.

(10) One additional Assistant to the Boston Regional Director.

(11) Temporary employment of Christmas Assistants in the postal field service for a period of not to exceed 15 calendar days in the month of December.

(12) For employment of eleven deaf mutes on an experimental basis with prior approval of the Commission.

§ 213.3112 Department of the Interior.

(a) *General.* (1) Temporary, intermittent, or seasonal positions in the field service of the Department of the Interior, when filled by the appointment of persons who are certified as maintaining a

permanent and exclusive residence within, or contiguous to, a field activity or district, and as being dependent for livelihood primarily upon employment available within the field activity of the Department.

(2) All positions on Government-owned ships or vessels operated by the Department of the Interior.

(3) Temporary or seasonal caretakers at temporarily closed camps or improved areas to maintain grounds, buildings, or other structures and prevent damage or theft of Government property. Such appointments shall not extend beyond 130 working days a year without the prior approval of the Commission.

(4) Temporary, intermittent, or seasonal field assistants at GS-5, or its equivalent, and below in such areas as forestry, range management, soils, engineering, fishery and wildlife management, and with surveying parties. Employment under this authority shall not exceed 180 working days a year for positions at GS-4 and below in survey parties in the Bureau of Land Management and Geological Survey and shall not exceed 130 working days a year for other positions authorized under this subparagraph. This authority shall not apply to positions of field assistants engaged in fishery management work in Alaska.

(5) Temporary emergency forest and range fire and blister rust control employees in the field service of the Department of the Interior employed for fire prevention or suppression or blister rust control for not to exceed 130 working days a year, except that temporary and seasonal forest and range fire employees in the Bureau of Land Management in Alaska may be employed for fire prevention or suppression for not to exceed 180 working days a year.

(6) Persons employed in field positions, the work of which is financed jointly by the Department of the Interior and co-operating persons or organizations outside the Federal service.

(7) All positions in the Bureau of Indian Affairs and other positions in the Department of the Interior directly and primarily related to the providing of services to Indians when filled by the appointment of Indians who are one-fourth or more Indian blood.

(8) Subject to prior approval of the Commission, temporary, intermittent, or seasonal positions at GS-7 or below in Alaska, as follows: Positions in nonprofessional mining activities, such as those of drillers, miners, caterpillar operators; and samplers; and positions of field assistants engaged in fishery management work. Employment under this authority shall not exceed 180 working days a year and shall be appropriate only when the activity is carried on in a remote or isolated area, there is no Board of U.S. Civil Service Examiners to service the employing establishment, and there is a shortage of available candidates for the positions.

(9) Subject to prior approval of the Commission, temporary, part-time, or intermittent employment of mechanics, skilled laborers, equipment operators and tradesmen on construction, repair, or

maintenance work for not to exceed 180 working days a year in Alaska, when the activity is carried on in a remote or isolated area, there is no Board of U.S. Civil Service Examiners to service the employing establishment, and there is a shortage of available candidates for the positions.

(10) Seasonal airplane pilots and airplane mechanics in Alaska, not to exceed 180 working days a year.

(b) *Bureau of Indian Affairs.* (1) Housekeeper positions at a gross salary not in excess of the entrance rate of grade GS-4 or its equivalent when, because of isolation or lack of quarters, appointment through competitive examination is, in the opinion of the Commission, impracticable.

(2) Subject to prior approval of the Commission, assistants in Alaska native schools (not including teachers and instructors) at a salary rate not in excess of that of GS-4 or its equivalent where the schools are in isolated or remote areas or lack suitable quarters.

(c) *Indian Arts and Crafts Board.* (1) The Executive Director.

(d) *Bonneville Power Administration.* (1) Five Area Managers.

(e) *Office of Territories.* (1) The Clerk of the High Court of American Samoa.

(2) [Reserved]

(3) The Government Comptroller for the Virgin Islands.

(4) Special Assistants to the Governor of American Samoa who perform specialized administrative, professional, technical, and scientific duties as members of his immediate staff.

(f) *National Park Service.* (1) Park Ranger positions (general, naturalist, historian, and archeologist) at salaries equivalent to GS-5 or GS-4, and not to exceed 200 such positions at salaries equivalent to grade GS-7 or GS-6 in which the duties are supervisory or are limited to a highly specialized part of the duties performed by career protective or interpretive personnel of the National Park Service. Employment under this subparagraph is limited to persons who meet the qualifications standards for each salary level which have been agreed upon by the Commission and the Department. These standards include as a minimum the following number of previous seasons' experience in the National Park Service as a park ranger at a salary equivalent to the next lower grade:

- (i) For IGS-7, 2 seasons at IGS-6 level;
- (ii) For IGS-6, 2 seasons at IGS-5 level;
- (iii) For IGS-5, 1 season at IGS-4 level.

Employment under this subparagraph shall be only for duty that is temporary, intermittent, or seasonal, and no person shall be employed by the National Park Service under this subparagraph or a combination of this and any other excepting authorities in excess of 180 working days a year.

(g) *Bureau of Reclamation.* (1) Appraisers and examiners employed on a temporary, intermittent, or part-time basis on special valuation or prospective-entrymen-review projects where knowl-

edge of local values or conditions or other specialized qualifications not possessed by regular Bureau employees are required for successful results. Employment under this provision shall not exceed 130 working days a year in any individual case: *Provided*, That such employment may, with prior approval of the Commission, be extended for not to exceed an additional 50 days in any single year.

(h) *The Alaska Railroad.* (1) Until December 31, 1965, all positions in Alaska in The Alaska Railroad and four technical positions in The Alaska Railroad Office in Seattle, Wash.

(i) *Office of Geography.* (1) One position of Research Analyst (Native Arabic Language Expert), GS-7.

§ 213.3113 Department of Agriculture.

(a) *General.* (1) Agents employed in field positions the work of which is financed jointly by the Department and cooperating persons, organizations, or governmental agencies outside the Federal service. This authority is not applicable to positions in the Agricultural Research Service or positions in the Statistical Reporting Service. This authority is not applicable to the following positions in the Consumer and Marketing Service: agricultural commodity grader (grain) and (meat), agricultural commodity aid (grain), and poultry and tobacco inspection positions.

(2) Any local veterinarian employed on a fee basis or a part-time basis.

(3) Not to exceed 25 professional, scientific, or technical positions in grade GS-7 or higher to be filled on an exchange basis by qualified employees on the rolls of State governments, colleges, or universities, for a limited period not to exceed 1 year.

(4) Local Agents, except veterinarians, employed temporarily outside Washington, in demonstrating in their respective localities the necessity of eradicating contagious or infectious animal diseases.

(5) Temporary, intermittent, or seasonal employment in the field service of the Department of Agriculture in the kinds of positions indicated below. This authority is applicable to positions where the salary is equivalent to GS-5 or below; except that for the forest worker positions under subdivision (v) of this subparagraph it may be used regardless of salary for wage board positions, and for the positions under subdivision (viii) of this subparagraph it may be used for the levels therein indicated. Employment under this authority shall not exceed 130 working days a year for positions under subdivisions (ii), (iii), and (iv) of this subparagraph; and total employment under this subparagraph shall not exceed 180 working days a year.

(i) Field assistants for subprofessional services.

(ii) Subject to prior approval of the Commission, clerical positions and positions in the trades, crafts, and manual laborer occupational groups exclusive of those covered by § 213.3102 (i) and (m) at places other than at central office and regional and branch office cities of the Commission when (a) there is no local

Board of U.S. Civil Service Examiners to service the employing establishment, and (b) there is no appropriate register or there is a shortage of available eligibles.

(iii) Caretakers at temporarily closed camps or improved areas.

(iv) Field enumerators and supervisors.

(v) Forest workers engaged primarily for fire prevention or suppression activities and also other forest workers when the employment is with headquarters other than forest supervisor and regional offices.

(vi) State Performance Assistants of the Agricultural Stabilization and Conservation Service.

(vii) Collectors of the Farmers Home Administration.

(viii) Agricultural Research helpers, helper-leaders, and workers, paid at rates not in excess of WB-5 and Leader-5 in the Agricultural Research Service.

(6) Not to exceed eight positions whose incumbents serve on an intermittent or temporary basis as field representatives of the Department of Agriculture and in this capacity represent the Department's Disaster Committee in conducting surveys and appraisals of conditions in areas whose status as "major disaster" areas under Public Law 81-875, is under consideration. Employment under this authority shall not exceed 130 working days a year.

(7) [Reserved]

(8) Until December 31, 1966, not to exceed 100 positions directly concerned with programs of the Department for employment of Cuban refugees possessing college-level training appropriate for such positions: *Provided*, That employment under this authority in any one individual case shall be on a temporary basis for periods not to exceed one year and shall not exceed two years without the prior approval of the Civil Service Commission.

(b) *Office of the Secretary.* (1) Special Livestock Loans Committeemen employed for not more than 180 working days a year, to approve and direct the servicing of emergency livestock loans.

(2) The positions of the two members and two alternate members of the Board of Forest Appeals which must be filled under Departmental regulation by persons who have not been Federal employees for two years before appointment. Employment under this exception shall be on a when-actually-employed basis.

(c) *Forest Service.* (1) Temporary, intermittent, or seasonal positions when filled by the appointment of persons who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a national forest and as being dependent for livelihood primarily upon employment available within the national forest.

(2) Positions in Alaska of Laborers, Boat Operators, Mechanics, Equipment Operators, and Carpenters whose duties require the operation of boats in coastal waters and/or the establishment and maintenance of work camps in remote areas.

(d) *Agricultural Stabilization and Conservation Service.* (1) Six Area Directors above GS-14.

(2) Members of State Committees.

(3) State Executive Directors.

(4) Farmer fieldmen and farmer fieldwomen to interpret and explain and supervise farm programs.

(e) *Farmers Home Administration.*

(1) State committeemen to consider, recommend, and advise with respect to the Farmers Home Administration program.

(2) County committeemen to consider, recommend, and advise with respect to the Farmers Home Administration program.

(3) Temporary positions whose principal duties involve the making and servicing of emergency loans pursuant to Public Law 87-128. Appointment under this provision shall not exceed 1 year unless extended with the prior approval of the Commission for additional periods of not to exceed 1 year each.

(4) State Directors and not to exceed three positions of State Director-at-Large.

(5) Temporary positions in State and county offices of the Farmers Home Administration whose principal duties involve the making and servicing of loans pursuant to the Economic Opportunity Act of 1964. Appointments under this provision shall not exceed 1 year unless extended with prior Commission approval for not to exceed 1 additional year.

(f) *Consumer and Marketing Service.*

(1) Positions of cotton classers GS-9 and below, clerks GS-2, and laborers, employed on a seasonal basis in cotton-classing offices outside the Washington, D.C., Metropolitan Area. Employment under this authority (or under a combination of this authority and any other excepting authority) shall not exceed 1,280 hours a year in the case of cotton classers and laborers and 1,040 hours a year in the case of clerks; except that GS-5 cotton classers may be employed as trainees during their first appointment only for an initial period of six months for training purposes without regard to the above time limitation.

(2) Positions of poultry inspector (veterinarian at GS-11 and below, and nonveterinarian at appropriate grades below GS-11) for employment on a temporary, intermittent, or seasonal basis, not to exceed 1,280 hours a year.

(3) Milk Market Administrators.

(4) All positions on the staffs of Milk Market Administrators.

(5) Positions of agricultural commodity aid (cotton) GS-2, 3, and 4, employed on a seasonal basis in cotton-classing offices outside the Washington, D.C., Metropolitan Area for not to exceed 1,280 hours a year. Employment under this authority may not exceed 850 positions at GS-2, and 92 positions at GS-3 and GS-4.

(g) *Agricultural Research Service.*

(1) Field employees on programs conducted under the terms of cooperative agreements or memorandums of understanding with States or other non-Federal cooperating organizations, provided the employees are jointly selected and

their salary is supplied by the co-operators on the basis of not less than a 40 percent contribution by each of the co-operators.

(2) Temporary field positions concerned with the control, suppression, and eradication of emergency livestock diseases. Persons appointed under this authority may not be employed in these positions in the Agricultural Research Service for longer than 1 year under this authority, or under a combination of this and any other authorities for excepted appointment that may be appropriate, without prior approval of the Commission. This authority shall be appropriate only in situations declared by the Secretary of Agriculture to be emergencies threatening the livestock industry of the country.

(3) Not to exceed 25 professional research associate positions, at GS-11 and above, in laboratories doing basic research work in the Agricultural Research Service to be filled on a temporary basis by scientists with a doctoral degree who possess specialized knowledge or abilities applicable to the basic research programs involved. Employment under this provision shall not exceed 1 year in any individual case: *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed an additional year.

(h) *Foreign Agricultural Service.* (1) Agricultural Attache positions at grade GS-16 and above where the duties require that the major portion of the employee's time be spent in foreign countries.

(i) *International Agricultural Development Service.* (1) Positions of Technical Leader at Grade GS-12 and above employed in the training of foreign nationals on a temporary basis for not to exceed 130 working days a year.

§ 213.3114 Department of Commerce.

(a) *General.* (1) Agents to take and transmit meteorological observations in connection with aviation who are employed on a part-time basis and whose compensation is based on a fee for each observation performed rather than on an hourly or per annum basis: *Provided*, That the number of observations shall not exceed a daily average of 12 during any calendar month.

(2) Employment of individuals, firms, or corporations for not to exceed 1 year for special statistical studies and statistical compilations, other than Personal Census Records Service, the compensation for which is derived from funds deposited with the United States under the Act of May 27, 1935 (49 Stat. 292): *Provided*, That such employments may, with the approval of the Commission, be extended for not to exceed an additional year.

(3) Not to exceed 50 scientific and technical positions whose duties are performed primarily in the Antarctic. Incumbents of these positions may be stationed in continental United States for periods of orientation, training, analysis of data, and report writing.

(b) *Office of the Secretary.* (1) The positions of Security Control Officer,

Deputy Security Control Officer, and Chief, Personnel Security Division.

(2) One Civil Aviation Specialist.

(3) One Adviser on Equal Employment Opportunity.

(c) *Coast and Geodetic Survey.* (1) All civilian positions on vessels operated by the Coast and Geodetic Survey.

(2) Temporary positions required in connection with the surveying operations of the field service of the Coast and Geodetic Survey. Appointment to such positions shall not exceed 8 months in any 1 calendar year.

(d) *Bureau of the Census.* (1) Supervisors, assistant supervisors, supervisors' clerks, and enumerators in the field service for temporary, part-time, or intermittent employment, for not to exceed 1 year: *Provided*, That such appointments may be extended for additional periods of not to exceed 1 year each; but that after December 31, 1960, this subparagraph shall not be authority for employment in full-time positions for longer than 1 year.

(e) *National Bureau of Standards.*

(1) Scientific and professional research associate positions when filled on a temporary or intermittent basis by persons having a doctoral degree in physical science or related fields of study, for research activities of mutual interest to the appointee and the Bureau. Total employment under this provision may not exceed 20 new appointments each fiscal year, including those at the headquarters and at the Boulder, Colorado, Laboratories of the Bureau. Employment under this provision shall not exceed 1 year in any individual case: *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed an additional year. Such extensions shall not be included against the quota of 20 new appointments as stated above.

(f) *Bureau of Public Roads.* (1) Temporary, intermittent, or seasonal employment in the field service of the Bureau of Public Roads at grades not higher than GS-5 for subprofessional engineering aide work on highway surveys and construction projects, for not to exceed 180 working days a year, whenever in the opinion of the Commission appointment through competitive examination is impracticable.

(g) *Business and Defense Services Administration.* (1) Not to exceed 30 positions, at grades GS-13 and higher, to be filled by appointment of persons, qualified as industrial specialists, who possess specialized knowledge and experience in the field of industrial production, industrial operations and related problems, applicable to one or more of the current segments of industry served by the Business and Defense Services Administration. Appointments under this authority may be made for a period not to exceed 2 years, and may, with prior approval of the Commission, be extended for an additional period of 2 years.

(h) *Maritime Administration.* (1) Public Information Officer.

(2) [Reserved]

(3) Chief, Office of Program Planning.

(4) [Reserved]

(5) The positions of Chief Investigator and Security Officer and Deputy Chief Investigator and Security Officer.

(6) All positions on Government-owned vessels or those bareboats chartered to the Government and operated by or for the Maritime Administration.

(7) [Reserved]

(8) One Special Assistant to the Administrator (Tanker Adviser).

(9) Two Special Assistants to the Deputy Administrator.

(10) U.S. Merchant Marine Academy, positions of: Professors, instructors, and teachers; including Heads of the Departments of Physical Training and Athletics, Ships Medicine, Ship Management, History and Languages, Mathematics and Science, Nautical Science and Engineering; Academy Training Representatives; the Regimental Officer; the Drill and Activities Officers; the Band and Activities Officer; and the First, Second, and Third Battalion Officers.

(11) U.S. Merchant Marine Academy, positions of: The Superintendent; the Executive Officer and Assistant Superintendent; Dean; Registrar and Educational Services Officer; Educational Specialist (Administration) (Assistant Dean); Alumni Records Officer and Placement Director; Librarian; and the Special Assistant to the Superintendent.

(i) *Office of the Assistant Secretary for Domestic and International Business.*

(1) Ten positions at GS-13 and above in specialized fields relating to international trade or commerce in the Bureau of International Commerce or in other units under the jurisdiction of the Assistant Secretary for Domestic and International Business. Incumbents shall be assigned to advisory rather than to operating duties, except as operating and administrative responsibility may be required for the conduct of pilot studies or special projects. Employment under this authority will not exceed 2 years for any individual appointee.

(2) Not to exceed 40 positions of Managers and Deputy Managers of International Trade Fairs and Exhibit Programs in foreign countries when the duties require a considerable portion of the employee's time to be spent in foreign countries.

(j) *Weather Bureau.* (1) Subject to prior approval of the Commission, which shall be contingent upon a showing of inadequate housing facilities, meteorological aid positions at the following stations in Alaska: Barrow, Bethel, Kotzebue, McGrath, Northway, and St. Paul Island.

(2) Cook positions on Swan Island.

(3) Scientific and professional research positions at GS-12 and above when filled on a temporary, part-time, or intermittent basis by persons having a doctoral degree in meteorology or related fields of study, for research activities of mutual interest to the appointee and the Bureau. Total employment under this provision may not exceed ten positions at any one time, nor more than one year under this authority for any one individual, without prior approval of the Commission.

§ 213.3115 Department of Labor.

(a) *Office of the Secretary.* (1) Chairman and two Members, Employees' Compensation Appeals Board.

(b) *Bureau of Employment Security.* [Reserved]

(c) [Reserved]

(d) *Bureau of Labor Statistics.* (1) Part-time and intermittent employment for field survey and enumeration work in the Bureau of Labor Statistics. This authority is applicable to positions where the salary is equivalent to GS-5 and below. Employment within the Bureau of Labor Statistics under this authority, or a combination of this authority and any other authorities for excepted appointment, shall not exceed:

(i) 180 working days a year for positions at GS-5;

(ii) 130 working days a year for positions at GS-4 and below.

The total number of appointments at GS-5 shall not exceed 75. Appointments at the GS-3 and GS-4 grade levels are not limited in number.

(e) [Reserved]

(f) *Office of Federal Contract Compliance.* (1) All positions in the Office of Federal Contract Compliance established under Parts II, III, and IV of Executive Order No. 11246 of September 24, 1965.

§ 213.3116 Department of Health, Education, and Welfare.

(a) *St. Elizabeths Hospital.* (1) Three Medical Officers (Surgical Resident).

(2) Student Medical Interns for temporary or part-time employment.

(3) Temporary positions of graduate nurses appointed as students for the purpose of receiving 12 weeks of training equivalent to psychiatric affiliation. This authority shall be applied only to positions whose compensation is fixed in accordance with the provisions of section 3 of Public Law 80-330.

(4) Three positions of Medical Officers (Radiology Resident): *Provided*, That employment under this authority shall not exceed 1 year, except that selected residents may be nominated and reappointed for an additional year of training when the parent hospital determines that the supplemental training will meet the specialized needs of the individual resident.

(5) Until June 30, 1969, eight psychodrama trainees, including interns and first- and second-year residents. This authority shall be applied only to positions with compensation fixed in accordance with the provisions of section 3 of Public Law 80-330.

(6) Two Medical Officers (Anatomical Pathology Resident) for not to exceed 2 years' employment in the case of any one individual.

(7) Three Medical Officers (Internal Medicine Resident) for not to exceed 3 months' employment in the case of any one individual.

(8) Four positions of Medical Officer (Physical Medicine and Rehabilitation Resident): *Provided*, That employment under this authority shall not exceed 1 year, except that selected residents

may be nominated and reappointed for an additional year of training when the parent hospital determines that the supplemental training will meet the specialized needs of the individual resident. Initial appointments may be made at any level within the 3-year residency as approved by the American Medical Association.

(9) Not to exceed 22 positions of Chaplain Residents: *Provided*, That employment under this authority shall not exceed 39 months for any individual. This authority shall be applied only to positions whose compensation is fixed in accordance with the provisions of section 3 of Public Law 80-330.

(b) *Public Health Service.* (1) Special escorts to accompany patients of the Public Health Service in accordance with existing laws and regulations. Employment under this subparagraph shall be only for the period of time necessary for the escort to deliver the patient to his destination and to return.

(2) Positions at Government sanatoria when filled by patients during treatment or convalescence.

(3) All positions in leprosy investigation stations.

(4) Positions concerned with problems in preventive medicine financed or participated in by the Department of Health, Education, and Welfare and a cooperating State, county, municipality, incorporated organization, or an individual in which at least one-half of the expense is contributed by the cooperating agency either in salaries, quarters, materials, equipment, or other necessary elements in the carrying on of the work.

(5) Medical and dental interns, externs, and residents; and student nurses.

(6) Positions of scientific, professional, or technical nature when filled by bona fide students enrolled in academic institutions: *Provided*, That the work performed in the agency is to be used by the student as a basis for completing certain academic requirements required by an educational institution to qualify for a scientific, professional, or technical field: *And provided further*, That appropriate exclusions of the positions under the authority of Public Law 80-330 have been approved by the Civil Service Commission.

(7) Student Dietitians and Resident Physicians at Freedman's Hospital.

(8) Positions directly and primarily related to the providing of services to Indians when filled by the appointment of Indians who are one-fourth or more Indian blood.

(9) Not to exceed 30 positions of clerical assistants employed on a part-time and intermittent basis to aid cooperating clinicians in non-Federal tuberculosis sanatoria in the keeping of records and the preparation of reports in connection with research studies into the effectiveness of antimicrobial agents in the treatment of tuberculosis. Persons appointed under this authority may not be employed in this kind of work in the Public Health Service for more than 180 working days in a single year under this authority or under a combination of this

and any other authority for excepted appointment that may be appropriate.

(c) *Office of Education.* (1) Positions concerned with problems in education financed and participated in by the Office of Education, Department of Health, Education, and Welfare, and a cooperating State educational agency, or university or college, in which there is joint responsibility for selection and supervision of employees, and at least one-half of the expense is contributed by the cooperating agency in salaries, quarters, materials, equipment, or other necessary elements in the carrying on of the work.

(d) *Social Security Administration.* (1) One position of claims examiner or social insurance representative in a district office of the Bureau of Old-Age and Survivors Insurance in the State of Arizona when filled by the appointment of a person of one-fourth or more Indian blood.

(e) *General.* (1) Until December 31, 1966, 60 positions in medical and related occupations for employment under the Cuban refugee program. Employment of any person under this authority shall not extend more than 1 year beyond the expiration of the authority.

(f) *The President's Council on Physical Fitness.* (1) Three staff assistants. The President's Council on Physical Fitness.

(g) *Welfare Administration.* (1) Not to exceed 150 positions directly concerned with programs conducted by the Department in connection with the problems of Cuban refugees: *Provided*, That employment under this authority shall be temporary and no employment shall be made under it after December 31, 1966.

§ 213.3121 National Security Council.

(a) All positions on the staff of the Council.

§ 213.3124 Board of Governors, Federal Reserve System.

(a) All positions.

§ 213.3126 Office of Emergency Planning.

(a) One Field Representative, Resource Readiness Office.

§ 213.3127 Veterans Administration.

(a) *Construction Division.* (1) Temporary construction workers paid from "purchase and hire" funds and appointed for not to exceed the duration of a construction project.

§ 213.3128 U.S. Information Agency.

(a) Two Liaison Officers (Congressional) in the Office of the General Counsel.

(b) One Chief of Religious Information.

§ 213.3129 Federal Power Commission.

(a) Three special assistants to the Commission.

§ 213.3130 Securities and Exchange Commission.

(a) Director, Division of Corporation Finance; Director, Division of Corporate Regulation; Director, Division of Trading and Markets.

(b) Nine positions of Regional Administrator.

§ 213.3132 Small Business Administration.

(a)-(d) [Reserved]

(e) When the President under 42 U.S.C. 1855-1855g, or the Secretary of Agriculture under 7 U.S.C. 1961, declares an area to be a disaster area, positions filled by temporary appointment of employees to make and administer disaster loans in that area under the Small Business Act, as amended, for the duration of the disaster. Original appointments may not exceed 6 months, and no employee appointed under this exception may work in any one disaster area for more than 6 months without prior approval of the Commission.

§ 213.3133 Federal Deposit Insurance Corporation.

(a) All field positions concerned with the work of liquidating the assets of closed banks or the liquidation of loans to banks, and all temporary field positions the work of which is concerned with paying the depositors of closed insured banks.

(b) One position of Chief Clerk in the San Juan, P.R., office.

§ 213.3135 National Capital Housing Authority.

(a) Executive Director.

§ 213.3136 U.S. Soldiers' Home.

(a) All positions.

§ 213.3137 General Services Administration.

(a) *General.* (1) Custodians, guards, watchmen, laborers, and other employees engaged in the custody, care, and preservation of plants, warehouses, shipyards, airfields, and surplus facilities of a similar nature pending disposition of such facilities.

§ 213.3138 Federal Communications Commission.

(a) One Associate Chief Engineer.

(b) The Chief of each of the following Bureaus: Broadcast, Common Carrier, Safety and Special Radio Services, and Field Engineering and Monitoring.

§ 213.3139 U.S. Tariff Commission.

(a) The Secretary of the Commission.

§ 213.3141 National Labor Relations Board.

(a) Election Clerks and Election Examiners for temporary, part-time, or intermittent employment in connection with elections under the Labor Management Relations Act.

§ 213.3142 Export-Import Bank of Washington.

(a) Three Special Assistants to the Board of Directors, grade GS-14 and above, with responsibility for carrying out special overseas assignments for the Board.

§ 213.3143 Farm Credit Administration.

(a) Federal Land Bank Association receivers and conservators.

(b) Not to exceed seven positions in the Credit Services of the Farm Credit Administration in grades GS-13 or above, requiring technical or administrative experience in the field of agricultural credit: *Provided*, That this authority may be used only when making appointments of persons who have acquired such experience in the Farm Credit Administration or in one or more of the institutions supervised by the Farm Credit Administration.

§ 213.3144 Housing and Home Finance Agency.

(a) *Office of the Administrator.* (1) [Reserved]

(2) Director, Compliance Division.

(3) Seven Regional Administrators.

(4) Director, Community Disposition Staff.

(5) One Special Assistant to the Deputy Administrator.

(b) Federal Housing Administration.

(1) Five Zone Operations Commissioners.

(c) *Federal National Mortgage Association.* (1) Until September 30, 1965, one Special Assistant (VHMCP).

§ 213.3146 Selective Service System.

(a) State Directors.

(b) Deputy or Assistant State Directors and State Medical Officers in State Headquarters.

(c) Until June 30, 1967, Executive Secretary, National Advisory Committee on the Selection of Physicians, Dentists, and Allied Specialists.

(d) Executive Secretary, National Selective Service Appeal Board.

§ 213.3147 Federal Mediation and Conciliation Service.

(a) Executive Secretary of a Board of Inquiry appointed under section 206 of the Labor-Management Relations Act of 1947 (29 U.S.C. 176).

§ 213.3148 National Aeronautics and Space Administration.

(a) One hundred fifty alien scientists having special qualifications in the fields of aeronautical and space research where such employment is deemed by the Administrator of the National Aeronautics and Space Administration to be necessary in the public interest.

(b) Forty scientific specialists to be engaged on special research projects.

(c) [Reserved]

(d) Ten medical officer positions for employment of third year medical residents in the field of aerospace medicine. An individual may not be employed more than one year under this exception.

§ 213.3149 Panama Canal Company, New Orleans.

(a) All positions on vessels operated by the Panama Canal Company.

§ 213.3152 St. Lawrence Seaway Development Corporation.

(a) One Assistant Manager, Seaway International Bridge.

§ 213.3154 Federal Home Loan Bank Board.

(a) One Secretary, Federal Home Loan Bank Board.

(b) [Reserved]

(c) All temporary field positions in the Federal Savings and Loan Insurance Corporation concerned with the work of liquidating the assets of closed insured institutions, or the liquidation of loans or the handling of contributions to insured institutions and the purchase of assets therefrom, and all temporary field positions of the Federal Savings and Loan Insurance Corporation the work of which is concerned with paying the depositors of closed insured institutions.

§ 213.3156 Commission on Civil Rights.

(a) Fifteen positions at grade GS-11 and above to engage in and advise on the collection, study, and appraisal of information developed in accordance with Public Law 88-352. Appointments made under this authority shall be limited to persons having a particular competency in the areas concerned and shall not extend beyond March 31, 1968.

(b) Until March 31, 1968, not to exceed 20 positions at GS-5 through GS-11 for the temporary part-time or intermittent employment of persons hired locally to investigate sworn complaints of patterns or practices of fraud or discrimination in the conduct of national elections. Employment under this authority shall not exceed 130 days in any one service year.

§ 213.3157 Federal Aviation Agency.

(a) Caretakers and light attendants employed on emergency fields and other air navigation facilities, who are paid on a fee basis.

(b) Medical Officer positions on Canton and Wake Islands.

(c) Laborer positions on Swan Island.

§ 213.3158 Franklin Delano Roosevelt Memorial Commission.

(a) All positions on the staff of the Commission.

§ 213.3160 Peace Corps.

(a) One Special Representative when employed on an intermittent basis.

(b) Thirty-five positions, filled by temporary appointment of 2 years or less, on the staff of the Peace Corps training camp in Puerto Rico.

§ 213.3161 James Madison Memorial Commission.

(a) One Executive Secretary

§ 213.3162 National Aeronautics and Space Council.

(a) All positions.

§ 213.3164 U.S. Arms Control and Disarmament Agency.

(a) Until April 30, 1969, seven project officers above GS-13 in the Weapons Evaluation and Control Bureau and 10 physical science officers above GS-12.

§ 213.3165 President's Advisory Committee on Labor-Management Policy.

(a) One Assistant Executive Director.

§ 213.3166 President's Committee on Juvenile Delinquency and Youth Crime.

(a) Until July 30, 1966, all positions on the staff.

§ 213.3169 President's Committee on Equal Opportunity in Housing.

(a) Positions, other than the Staff Director, on the Staff of the President's Committee on Equal Opportunity in Housing established by the President on November 20, 1962.

§ 213.3170 Civil Service Commission.

(a) Persons employed on a WAE basis to serve as members of the International Organizations Employees Loyalty Board for the purpose of holding hearings overseas.

§ 213.3174 Smithsonian Institution.

(a) Positions when filled by alien scientists and technicians appointed after the Secretary has determined in each case that no qualified citizen is available for the particular position.

§ 213.3178 Atlantic-Pacific Interoceanic Canal Study Commission.

(a) All positions on the Commission staff.

§ 213.3179 The President's Commission on Crime in the District of Columbia.

(a) All positions on the President's Commission on Crime in the District of Columbia.

§ 213.3181 The President's Commission on Law Enforcement and Administration of Justice.

(a) All positions on the President's Commission on Law Enforcement and Administration of Justice.

§ 213.3182 National Foundation on the Arts and the Humanities.

(a) *National Endowment for the Arts.*

(1) Deputy Director.

(2) Director of State and Local Operations.

(3) Seven Arts Program Directors.

(4) Director of Education and Government Liaison.

(5) Director of Studies and Analysis.

(6) Project Coordinator.

(7) Three Project Evaluators.

(8) Four Grant Processors.

SCHEDULE B

§ 213.3201 Positions other than those of a confidential or policy-determining character for which it is not practicable to hold a competitive examination.

The positions enumerated in §§ 213.3202 to 213.3299 are positions other than those of a confidential or policy-determining character for which it is not practicable to hold a competitive examination and which are excepted from the competitive service and constitute Schedule B. Appointments to these positions are subject to such noncompetitive examination as may be prescribed by the Commission.

§ 213.3202 Entire executive civil service.

(a) Student Trainee positions established in connection with an organized preprofessional undergraduate work-study program involving alternating periods of planned work experience (including at least 6 months in the agency) and related study at an accredited col-

lege or university in either (1) a cooperative curriculum in which the work experience is a prerequisite to the award of a degree, or (2) a curriculum where formal arrangements are made with the college or university for selecting and retaining program participants, and for scheduling and coordinating work experience and academic study. Appointments under this paragraph may be made only to Student Trainee positions which are preparatory to professional work which the Commission determines to be in a shortage occupation for this purpose. The Commission's determinations in this respect and other requirements relating to appointments under this paragraph will be published in the Federal Personnel Manual. Except for the requirement of competitive selection from a register, appointments under this paragraph are subject to all the requirements and conditions governing career-conditional appointment, including investigation by the Commission to establish the appointee's qualifications and suitability. Appointees may not continue to serve in Student Trainee positions more than 90 days after they complete or are separated from the work-study program.

§ 213.3204 Department of State.

(a) Persons formerly employed abroad in the Foreign Service of the United States (this means civilian employment in the executive branch) for a period of at least 4 years for service in executive and administrative positions, or for at least 2 years for professional positions, in grades GS-9 and above.

(b) Technical cryptographic positions in the Communications Security Division, Office of Communications.

(c) Director and Deputy Director, Foreign Buildings Operations.

§ 213.3205 Treasury Department.

(a) Positions of Deputy Comptroller of the Currency, Chief National Bank Examiner, Assistant Chief National Bank Examiner, Regional Chief National Bank Examiner, Deputy Regional Chief National Bank Examiner, Senior National Bank Examiner, National Bank Examiner, Senior Assistant National Bank Examiner, Assistant National Bank Examiner, Deputy to the Comptroller of the Currency for Trusts, Representatives in Trusts, Associates in Trusts, Assistants in Trusts, and one Administrative Assistant to the Comptroller of the Currency, whose salaries are paid from assessments against national banks and other financial institutions.

(b) Cryptographer, U.S. Coast Guard.

(c) Not to exceed two positions of Accountant (Tax Specialist) at grades GS-13 and above to serve as specialists on the accounting analysis and treatment of corporation taxes. Employments under this paragraph shall not exceed a period of 18 months in any individual case.

(d) Positions concerned with the protection of the life and safety of the President and members of his immediate family, or other persons for whom similar protective services are prescribed by law, when filled in accordance with special

appointment procedures approved by the Commission. Service under this authority may not exceed (1) a total of four years or (2) 120 days following completion of the service required for conversion under Executive Order 11203, whichever occurs first.

§ 213.3206 Department of Defense.

(a) *Office of the Secretary.* (1) Professional members of Policy Planning Staff in positions at grades GS-16 and above and two Special Projects Directors, GS-15, Office of Deputy Assistant Secretary (Planning and NSC), Office of the Assistant Secretary of Defense (International Security Affairs).

(2) Professional positions at GS-11 and above involving systems, cost, and economic analysis functions, Office of the Assistant Secretary of Defense (Systems Analysis), and Office of the Deputy Assistant Secretary (Programming) in the Office of the Assistant Secretary of Defense (Comptroller).

(3) Professional positions at grades GS-16 and above in the Directorate for Special Studies, Office of the Deputy Assistant Secretary (Manpower Requirements and Special Studies), Office of the Assistant Secretary of Defense (Manpower).

(4) One Assistant for Counter-Insurgency, Office of the Assistant Secretary (International Security Affairs).

§ 213.3209 Department of the Air Force.

(a) Positions assigned exclusively to Air Force Communications Intelligence Activities.

(b) Civilian Deans and Professors at the Air Force Institute of Technology, Wright-Patterson Air Force Base, Dayton, Ohio.

§ 213.3210 Department of Justice.

(a) Deputy U.S. Marshals, Supervisory Deputy U.S. Marshals, and Chief Deputy U.S. Marshals.

(b) Positions of Port Receptionist and Supervisory Port Receptionist, Immigration and Naturalization Service.

§ 213.3212 Department of the Interior.

(a) Any competitive position at an Indian school when filled by the spouse of a competitive employee of the school, when because of isolation or lack of quarters, the Commission deems appointment through competitive examination impracticable.

(b) To the extent and in the occupations set by the Commission, positions on the staff of the Job Corps camps established by Title I of the Economic Opportunity Act of 1964, when it is determined that existing registers are not appropriate or do not permit appointment expeditiously. This authority may not be used after December 31, 1965.

§ 213.3213 Department of Agriculture.

(a) To the extent and in the occupations set by the Commission, positions on the staff of the Job Corps camps established under Title I of the Economic Opportunity Act of 1964, when it is determined that existing registers are not appropriate or do not permit appointment expeditiously. This authority may not be used after December 31, 1965.

appropriate or do not permit appointment expeditiously. This authority may not be used after December 31, 1965.

§ 213.3214 Department of Commerce.

(a) *Community Relations Service.* (1) Four Field Coordinators for appointments not to exceed two years. No person shall be appointed under this authority after August 1, 1966.

(2) Not to exceed 20 positions at grades GS-11 through GS-15 involving program responsibilities in the specialized area of community relations for appointments of not to exceed two years. No person shall be appointed under this authority after August 1, 1966.

§ 213.3215 Department of Labor.

(a) Not to exceed 20 positions of Manpower Development Specialist at grades GS-12 through GS-15 for employment in the Neighborhood Youth Corps. This authority may not be used after December 31, 1965.

§ 213.3216 Department of Health, Education, and Welfare.

(a) *Office of Education.* (1) Fifty positions, GS-7 through GS-11, concerned with advising on education policies, practices, and procedures under unusual and abnormal conditions. Persons employed under this provision must be bona fide elementary school and high school teachers. Appointments under this authority may be made for a period of not to exceed one year, and may, with the prior approval of the Civil Service Commission, be extended for an additional period of one year.

(2) Thirty positions, GS-11 through GS-15, involving program responsibilities under Titles IV and VI of the Civil Rights Act of 1964. An appointment may not be made under this subparagraph after August 1, 1966.

§ 213.3223 U.S. Information Agency.

(a) Persons formerly employed abroad in the Foreign Service of the United States or as Binational Center Grantees for a period of at least 4 years for service in executive and administrative positions, or for at least 2 years for professional positions, in grades GS-9 and above.

§ 213.3229 Federal Power Commission.

(a) A Chief Engineer.

§ 213.3244 Housing and Home Finance Agency.

(a) *Federal Housing Administration.* (1) Ten Zone Intergroup Relations Advisers.

§ 213.3246 Selective Service System.

(a) Positions in the Selective Service System when filled by persons who as commissioned officer personnel in the Armed Forces have previously been trained for or have been on active military duty in the Selective Service program, and cannot, for some reason beyond their control, be brought to active military duty in the current Selective Service program.

§ 213.3253 District of Columbia Government.

(a) Chairman, Secretary and Members of the Board of Police and Fire Surgeons, District of Columbia.

§ 213.3256 Commission on Civil Rights.

(a) Until August 1, 1966, three positions at grade GS-9 and above to engage in the preparation and dissemination of information about the developments, legislation, and other pertinent happenings relating to the field of civil rights gathered by the Commission on Civil Rights in carrying out its assigned functions.

§ 213.3260 Peace Corps.

(a) Not to exceed 10 positions in grades GS-9 through GS-15 when filled by persons who have served overseas for at least 2 years in the foreign service of the Peace Corps or in the Foreign Service of the Department of State or of other constituent agencies of the Department.

§ 213.3268 Agency for International Development.

(a) Not to exceed 30 positions at GS-9 and above when filled by persons who have served overseas with the Agency for International Development for not less than 2 years.

§ 213.3273 Office of Economic Opportunity.

(a) To the extent and in the occupations set by the Commission, positions concerned with the administration and implementation of the Office of Economic Opportunity program when it is determined that existing registers are not appropriate or do not permit appointment expeditiously. This authority may not be used after December 31, 1965.

- (b) One Chief, Planning Division.
- (c) One Chief, Analysis Division.
- (d) One Chief, Research Division.
- (e) Seven Regional Directors.

§ 213.3276 Appalachian Regional Commission.

(a) Two Program Coordinators.

§ 213.3277 Equal Employment Opportunity Commission.

(a) Until August 1, 1966, technical positions above the clerical level engaged in the substantive program of the Equal Employment Opportunity Commission under Title VII of the Civil Rights Act of 1964.

SCHEDULE C

§ 213.3301 Positions of a confidential or policy-determining character.

The positions enumerated in §§ 213.3302 to 213.3399 are positions of a confidential or policy-determining character which are excepted from the competitive service, to which appointments may be made without examination by the Commission and which constitute Schedule C.

§ 213.3303 Executive Office of the President.

(a) *Bureau of the Budget.* (1) Three Assistant Directors.

(2) Two Private Secretaries to the Director.

(3) One Private Secretary to the Deputy Director.

(4) One Private Secretary to each of the three Assistant Directors.

(5) One Assistant to the Director.

(b) *Council of Economic Advisers.* (1) Three Private Secretaries to the Chairman and one to each of the other two members.

(c) *Office of Science and Technology.* (1) One Confidential and Secretarial Assistant to the Director.

(2) One Confidential and Secretarial Assistant to the Deputy Director.

(3) One Special Assistant to the Director.

(d) *Office of the Special Representative for Trade Negotiations.* (1) One Confidential Assistant to the Deputy Special Representative.

§ 213.3304 Department of State.

(a) *Office of the Secretary.* (1) Five Special Assistants.

(2) [Reserved]

(3) [Reserved]

(4) Two Confidential Assistants and four Private Secretaries to the Secretary.

(5) Five Special Assistants to the Under Secretary.

(6) One Special Assistant (Fisheries) to the Under Secretary.

(7) Three Confidential Assistants and one Private Secretary to the Under Secretary.

(8) Two Staff Assistants.

(9)-(14) [Reserved]

(15) One Personal Assistant to the Director, Food for Peace, Office of the Under Secretary.

(16) One Personal Assistant and one Private Secretary to the Under Secretary for Economic Affairs.

(17) [Reserved]

(18) One Special Assistant and one Staff Assistant to the Under Secretary for Economic Affairs.

(19) One Assistant Director, Food for Peace, Office of the Under Secretary.

(20) One Personal Assistant and one Special Assistant to the Ambassador-at-Large.

(21) One Special Assistant to the Secretary (Food-for-Peace Program).

(b) *Bureau of Security and Consular Affairs.* (1) Deputy Administrator.

(2) Administrator.

(3) Deputy Administrator for Refugee Relief.

(4) One Private Secretary to the Administrator.

(5) Deputy Administrator.

(c) *Office of the Assistant Secretary for Congressional Relations.* (1) One Congressional Liaison Officer (House).

(2) Deputy Assistant Secretary.

(3) Congressional Liaison Officer (Senate).

(4) One Confidential Assistant to the Assistant Secretary.

(5) One Staff Assistant.

(6) Four Legislative Management Officers.

(7) Two Legislative Officers.

(8) One Special Assistant to the Assistant Secretary.

(9) One Personal Assistant to the Assistant Secretary.

(d) *Office of the Assistant Secretary for Public Affairs.* (1) One Deputy Assistant Secretary.

(2) One Private Secretary to the Assistant Secretary.

(3) One Special Assistant to the Assistant Secretary.

(4) Director of the Office of News.

(5) [Reserved]

(6) One Deputy Assistant Secretary (Public Services).

(7) One Deputy Assistant Secretary (Policy Plans and Guidance).

(e) *Bureau of Economic Affairs.* (1) One Deputy Assistant Secretary (International Finance and Development), one Deputy Assistant Secretary (International Trade), and one Deputy Assistant Secretary (International Resources).

(2) One Private Secretary to the Assistant Secretary.

(f) *Bureau of Intelligence and Research.* (1) One Private Secretary.

(2) Director of Intelligence and Research.

(3) Deputy Director of Intelligence and Research.

(4) One Staff Assistant.

(g) *Bureau of Near Eastern and South Asian Affairs.* (1) Deputy Assistant Secretary.

(2) One Private Secretary to the Assistant Secretary.

(3) One Deputy Assistant Secretary.

(h) *Bureau of International Organization Affairs.* (1) Two Deputy Assistant Secretaries.

(2) One Private Secretary to the Assistant Secretary.

(3) One Special Assistant to the Assistant Secretary.

(4) One Special Assistant to the Assistant Secretary (Public Affairs).

(i) *Bureau of European Affairs.* (1) Deputy Assistant Secretary.

(2) One Private Secretary to the Assistant Secretary.

(3) Deputy Assistant Secretary (German and NATO Affairs).

(4) One Deputy Assistant Secretary for Atlantic Affairs.

(j) *Bureau of Far Eastern Affairs.* (1) Deputy Assistant Secretary.

(2) One Private Secretary to the Assistant Secretary.

(3) One Deputy Assistant Secretary for Far Eastern Economic Affairs.

(4) [Reserved]

(5) One Special Assistant to the Assistant Secretary.

(6) One Staff Assistant.

(k) *Bureau of Inter-American Affairs.* (1) Deputy Assistant Secretary.

(2) One Private Secretary to the Assistant Secretary.

(3) [Reserved]

(4) One Special Assistant to the Assistant Secretary (Public Affairs).

(5) One Deputy Assistant Secretary for Inter-American Economic Affairs.

(6) Deputy Assistant Secretary (Social Development).

(7) Two Secretaries and Personal Assistants to the U.S. Representative to the Council of the Organization of American States.

(l) *Office of the Legal Adviser.* (1) Deputy Legal Adviser.

(2) One Private Secretary to the Legal Adviser.

(m) *Executive Secretariat.* (1) The Executive Secretary.

(2) Two Deputy Executive Secretaries.

(n) *Policy Planning Council.* (1) The Deputy Counselor and Vice Chairman.

(2) The Executive Secretary.

(3) Twelve Members.

(4) One Private Secretary to the Counselor and Chairman.

(5) [Reserved]

(6) One Staff Assistant.

(o) *Office of the Assistant Secretary for Administration.* (1) Deputy Assistant Secretary for Personnel.

(2) One Confidential Assistant to the Assistant Secretary.

(3) One Private Secretary to the Assistant Secretary for Administration.

(p) *Office of the Deputy Under Secretary for Administration.* (1) One Confidential Assistant to the Deputy Under Secretary.

(2) Chief, Special Liaison Staff.

(3) [Reserved]

(4) Three Special Liaison Assistants, Special Liaison Staff.

(5) The Deputy Assistant Secretary for Security.

(6) Two Special Assistants to the Deputy Under Secretary.

(7) Director, Office for Special Representational Services.

(8) Deputy Assistant Secretary for Community Advisory Services.

(9) The Chief of Protocol.

(10) Two Staff Assistants and one Private Secretary to the Chief of Protocol.

(q) *Office of the Deputy Under Secretary for Political Affairs.* (1) One Special Assistant to the Deputy Under Secretary.

(2) One Confidential Assistant to the Deputy Under Secretary.

(3) One Deputy Assistant Secretary for Political-Military Affairs.

(4) One Special Assistant to the Secretary and Coordinator of International Labor Affairs.

(r) *Bureau of African Affairs.* (1) Deputy Assistant Secretary.

(2) One Private Secretary to the Assistant Secretary.

(3) One Deputy Assistant Secretary for African Economic Affairs.

(4) One Special Assistant to the Assistant Secretary.

(5) One Staff Assistant to the Assistant Secretary.

(s) *Bureau of Educational and Cultural Affairs.* (1) One Private Secretary to the Assistant Secretary for Educational and Cultural Affairs.

(2) One Special Assistant.

(3) One Deputy Assistant Secretary.

(4) One Deputy Assistant Secretary for Plans.

(t) *Office of the Inspector General, Foreign Assistance.* (1) One Private Secretary to the Inspector General, Foreign Assistance.

(2) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(3) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(4) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(5) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(6) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(7) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(8) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(9) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(10) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(11) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(12) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(Debt Management); and one Special Assistant to the Secretary.

(2) [Reserved]

(3) Special Assistant to the Under Secretary.

(4) Director, Office of Tax Legislation.

(5) The Director, Office of Law Enforcement Coordination.

(6) Assistant to the Secretary (Congressional Relations).

(7) [Reserved]

(8) Assistant to the Secretary (National Security Affairs).

(9) Deputy Assistant Secretary (International Affairs).

(10) One Public Affairs Specialist.

(11) The Director, Office of Tax Analysis.

(12) Director, Office of Financial Analysis.

(13) One Deputy Under Secretary for Monetary Affairs.

(14) One Special Assistant to the Secretary.

(15) [Reserved]

(16) One Staff Assistant to the Assistant to the Secretary (National Security Affairs).

(17) One Deputy Director, Office of Financial Analysis.

(18) One Secretarial Assistant to the Secretary.

(19) One Special Assistant to the Secretary (for Enforcement).

(20) One Private Secretary to the Special Assistant to the Secretary (for Enforcement).

(21) Two Liaison Officers in the Office of the Special Assistant to the Secretary (for Enforcement).

(b) *Office of the Treasurer of the United States.* (1) One Confidential Administrative Assistant to the Treasurer of the United States.

(c) *Bureau of Customs.* (1) Commissioner of Customs.

(2) [Reserved]

(3) One Confidential Assistant to the Commissioner of Customs.

(d) *U.S. Savings Bonds Division.* (1) National Director.

(e) *Bureau of the Mint.* (1) One Special Assistant to the Director of the Mint.

(2) [Reserved]

(3) One Confidential Assistant to the Director of the Mint.

(4) [Reserved]

(5) [Reserved]

(6) [Reserved]

(7) [Reserved]

(8) [Reserved]

(9) [Reserved]

(10) [Reserved]

(11) [Reserved]

(12) [Reserved]

(13) [Reserved]

(14) [Reserved]

(15) [Reserved]

(16) [Reserved]

(17) [Reserved]

(18) [Reserved]

(19) [Reserved]

(20) [Reserved]

(21) [Reserved]

Counsel; the Assistant to the Secretary of Defense (Atomic Energy); and the Military Assistants to the Secretary of Defense.

(3) Three Chauffeurs for the Secretary of Defense.

(4) One Deputy Assistant Secretary, Office of the Assistant Secretary of Defense for Public Affairs.

(5) Two Confidential Assistants to the Assistant Secretary of Defense (International Security Affairs).

(6) The Defense Adviser to USRO in Paris, France.

(7) Two Private Secretaries to the Defense Adviser to USRO in Paris, France.

(8) One Deputy Assistant Secretary (Security Policy), Office of the Assistant Secretary of Defense (Manpower).

(9) One Deputy Assistant Secretary (European and North Atlantic Treaty Organization Affairs), Office of the Assistant Secretary of Defense for International Security Affairs.

(10) One Deputy Assistant Secretary (International Security Affairs), Office of the Assistant Secretary of Defense for International Security Affairs.

(11) One Assistant to the Secretary of Defense (Legislative Affairs).

(12) One Private Secretary to the Assistant to the Secretary of Defense (Legislative Affairs).

(13) One Special Assistant to the Assistant to the Secretary of Defense (Legislative Affairs).

(14) One Personal Secretary to the Deputy Secretary of Defense.

(15) One Private Secretary to the Deputy Assistant Secretary (International Security Affairs), Office of the Assistant Secretary of Defense for International Security Affairs.

(16) Three Private Secretaries to the Special Assistant to the Secretary of Defense.

(17) One Deputy Assistant Secretary (Arms Control), Office of the Assistant Secretary of Defense for International Security Affairs.

(18) [Reserved]

(19) One Deputy Assistant Secretary of Education and Manpower Resources, Office of the Assistant Secretary of Defense (Manpower).

(20) One Deputy Assistant Secretary (Far East and Latin American Affairs), Office of the Assistant Secretary of Defense for International Security Affairs.

(21) [Reserved]

(22) One Confidential Assistant to the Special Assistant to the Secretary of Defense.

(23) One Private Secretary to the Assistant Secretary of Defense, Office of the Director of Defense Research and Engineering.

(24) [Reserved]

(25) [Reserved]

(26) One Congressional Liaison Officer (Civil Defense), Office of the Assistant to the Secretary of Defense (Legislative Affairs).

(27) The Director of Economic Utilization Policy, Office of the Assistant Secretary of Defense (Installations and Logistics).

(28) Two Staff Assistants to the Special Assistant to the Secretary of Defense.

(29) One Staff Assistant to the Director of Economic Utilization Policy, Office of the Assistant Secretary of Defense (Installations and Logistics).

(30) One Private Secretary to the Chairman, Joint Chiefs of Staff.

(31) One Deputy Assistant Secretary (Manpower Requirements and Special Studies), Office of the Assistant Secretary of Defense (Manpower).

(32) One Confidential Assistant to the Assistant Secretary of Defense (Installations and Logistics).

(33) [Reserved]

(34) Principal Assistant to the Deputy Assistant Secretary (Civil Rights and Industrial Relations).

(35) One Staff Assistant to the Deputy Assistant Secretary (Civil Rights and Industrial Relations).

(36) One Private Secretary to the Deputy Assistant Secretary (Civil Rights and Industrial Relations).

(37) Director for Equal Employment Opportunity, Office of the Deputy Assistant Secretary (Civil Rights and Industrial Relations), Office of the Assistant Secretary of Defense (Manpower).

(38) One Private Secretary to the Director for Equal Employment Opportunity.

(39) One Staff Assistant to the Director for Equal Employment Opportunity.

(40) One Assistant to the Assistant Secretary of Defense (International Security Affairs).

(41) One Deputy Assistant Secretary (Near East, South Asia Affairs and MAP Policy Review), Office of the Assistant Secretary of Defense for International Security Affairs.

(42) Aide to the Vice President.

(43) Four Deputy Directors of Defense Research and Engineering and the Director, Advanced Research Projects Agency.

(44) One Special Assistant to the Assistant Secretary of Defense (Public Affairs).

(45) One Director of Operations, Office of the Assistant Secretary of Defense (Public Affairs).

(29) One Staff Assistant to the Director of Economic Utilization Policy, Office of the Assistant Secretary of Defense (Installations and Logistics).

(30) One Private Secretary to the Chairman, Joint Chiefs of Staff.

(31) One Deputy Assistant Secretary (Manpower Requirements and Special Studies), Office of the Assistant Secretary of Defense (Manpower).

(32) One Confidential Assistant to the Assistant Secretary of Defense (Installations and Logistics).

(33) [Reserved]

(34) Principal Assistant to the Deputy Assistant Secretary (Civil Rights and Industrial Relations).

(35) One Staff Assistant to the Deputy Assistant Secretary (Civil Rights and Industrial Relations).

(36) One Private Secretary to the Deputy Assistant Secretary (Civil Rights and Industrial Relations).

(37) Director for Equal Employment Opportunity, Office of the Deputy Assistant Secretary (Civil Rights and Industrial Relations), Office of the Assistant Secretary of Defense (Manpower).

(38) One Private Secretary to the Director for Equal Employment Opportunity.

(39) One Staff Assistant to the Director for Equal Employment Opportunity.

(40) One Assistant to the Assistant Secretary of Defense (International Security Affairs).

(41) One Deputy Assistant Secretary (Near East, South Asia Affairs and MAP Policy Review), Office of the Assistant Secretary of Defense for International Security Affairs.

(42) Aide to the Vice President.

(43) Four Deputy Directors of Defense Research and Engineering and the Director, Advanced Research Projects Agency.

(44) One Special Assistant to the Assistant Secretary of Defense (Public Affairs).

(45) One Director of Operations, Office of the Assistant Secretary of Defense (Public Affairs).

(46) One Private Secretary to the Director of Operations, Office of the Assistant Secretary of Defense (Public Affairs).

(47) One Deputy Assistant Secretary (Civil Rights and Industrial Relations), Office of the Assistant Secretary of Defense (Manpower).

(48) One Principal Deputy Director of Defense Research and Engineering.

(b) *Court of Military Appeals.* (1) One Private Secretary and two Technical Assistants to each Judge of the Court.

(c) *Interdepartmental Programs.* (1) Two Personal Secretaries and Confidential Assistants to the Military Representatives of the President.

(2) Four Private Secretaries engaged in the interdepartmental activities of the Office of the Secretary of Defense.

(d) *Defense Supply Agency.* (1) One Confidential Assistant (Economic Utilization Policy) to the Director, Defense Supply Agency.

(2) [Reserved]

(3) [Reserved]

(4) [Reserved]

(5) [Reserved]

(6) [Reserved]

(7) [Reserved]

(8) [Reserved]

(9) [Reserved]

(10) [Reserved]

(11) [Reserved]

(12) [Reserved]

(13) [Reserved]

(14) [Reserved]

(15) [Reserved]

(16) [Reserved]

(17) [Reserved]

(18) [Reserved]

(19) [Reserved]

(20) [Reserved]

(21) [Reserved]

sistant to the Secretary, to the Under Secretary, and to each Assistant Secretary of the Army.

(2) One Deputy to the Assistant Secretary of the Army (Installations and Logistics)—Installations.

(3) The General Counsel.

(4) [Reserved]

(5) One Deputy for International Affairs to the Under Secretary of the Army.

(6) [Reserved]

(7) One Deputy Under Secretary (Manpower and Reserve Forces).

(8) One Confidential Assistant to the Deputy for International Affairs to the Under Secretary of the Army.

(9) One Confidential Assistant (Economic Utilization Policy) to the Assistant Secretary of the Army (Installations and Logistics).

(10) One Assistant to the Deputy for International Affairs to the Under Secretary of the Army.

(11) One Deputy Under Secretary (Personnel Management).

(12) [Reserved]

(13) The Director of Civil Defense.

(14) Deputy Director of Civil Defense.

(15) One Special Assistant to the Assistant Secretary of the Army (Installations and Logistics) for Planning.

(16) Special Assistant for Legislative Affairs to the Chief of Legislative Liaison.

(b) General. (1) [Reserved]

(2) One Administrative Assistant and four Private Secretaries to the Military Aide to the President.

§ 213.3308 Department of the Navy.

(a) Office of the Secretary. (1) Four Civilian Aides or Executive Assistants to the Secretary.

(2) Two Private or Confidential Secretaries to the Secretary and one to the Under Secretary and to each Assistant Secretary of the Navy.

(3) One Chauffeur for the Secretary of the Navy.

(4) One Confidential Secretary to the Civilian Aide to the Secretary of the Navy.

(5) One Private Secretary to the Naval Aide to the President.

(6) Two Civilian Aides or Executive Assistants to the Under Secretary.

(7) Four Civilian Aides or Executive Assistants to the Assistant Secretary (Installations and Logistics).

(8) Two Civilian Aides or Executive Assistants each to the Assistant Secretary (Research and Development) and the Assistant Secretary (Financial Management).

(9) One Confidential Assistant (Economic Utilization Policy) to the Assistant Secretary of the Navy (Installations and Logistics).

§ 213.3309 Department of the Air Force.

(a) Office of the Secretary. (1) Three Special Assistants to the Secretary, and one Special Assistant to the Under Secretary, and to each Assistant Secretary of the Air Force.

(2) Five Private Secretaries. (For employment of Private Secretaries to officials in the Office of the Secretary who are appointed by the President or are

appointed under subparagraph (1) of this paragraph.)

(3) The General Counsel.

(4) One Confidential Assistant (Economic Utilization Policy) to the Assistant Secretary of the Air Force (Materiel).

§ 213.3310 Department of Justice.

(a) Office of the Attorney General. (1) The Executive Assistant to the Attorney General.

(2) The Pardon Attorney.

(3) Three Private Secretaries to the Attorney General.

(4) One Chauffeur for the Attorney General.

(5) Two Special Assistants for Public Relations.

(6) One Confidential Assistant to the Attorney General.

(7) Two Secretaries for the Attorney General.

(8) Two Receptionists for the Attorney General.

(9) Three Confidential Assistants to the Attorney General.

(b) Office of the Deputy Attorney General. (1) Two Confidential Assistants (Private Secretaries) to the Deputy Attorney General.

(2) Head of Executive Office for U.S. Attorneys.

(3) Assistant Deputy Attorney General for Legal Administration.

(4) Assistant Deputy Attorney General for Litigation.

(5) Head, Executive Office of U.S. Marshalls.

(c) Office of the Solicitor General. (1) The First Assistant to the Solicitor General.

(2) One position of Trial Attorney (General)—Second Assistant.

(3) One Confidential Assistant (Private Secretary) to the Solicitor General.

(d) Anti-Trust Division. (1) The First Assistant to the Assistant Attorney General.

(2) Chief, General Litigation Section.

(3) Chief, Trial Section.

(4) Chief, Special Litigation Section.

(5) Chief, Judgments and Judgment Enforcement Section.

(6) Chief, Special Trial Section.

(7) Chief, Appellate Section.

(8) Chief, Field Office (six positions).

(9) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(10) Chief, Economic Section.

(11) Chief, Public Counsel and Legislative Section.

(12) [Reserved]

(13) Chief, Field Operations.

(14) Second Assistant to the Assistant Attorney General.

(15) Director, Policy Planning.

(e) Civil Division. (1) The First Assistant to the Assistant Attorney General.

(2) Second Assistant to the Assistant Attorney General.

(3) Chief, Admiralty and Shipping Section.

(4) Chief, Court of Claims Section.

(5) Chief, Fraud Section.

(6) Chief, General Litigation Section.

(7) Chief, Patent Section.

(8) Chief, Appellate Section.

(9) Chief, Torts Section.

(10) Chief, Admiralty and Shipping Section, New York.

(11) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(12) One Executive Assistant.

(13) Chief, General Claims Section.

(f) Criminal Division. (1) The First Assistant to the Assistant Attorney General.

(2) Second Assistant to the Assistant Attorney General.

(3) Chief, Administrative Regulations Section.

(4) Chief, General Crimes Section.

(5) [Reserved]

(6) Chief, Appeals and Research Section.

(7) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(8) Chief, Organized Crime and Racketeering Section.

(9) Chief, Fraud Section.

(10) Three positions of Trial Attorney (General)—Staff Assistant.

(g) Tax Division. (1) The First Assistant to the Assistant Attorney General.

(2) Chief, Appellate Section.

(3) Chief, Criminal Section.

(4) Chief, Review Section.

(5) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(6) Second Assistant to the Assistant Attorney General.

(7) Chief, General Litigation Section.

(8) One Assistant for Civil Trials.

(h) Land and Natural Resources Division. (1) The First Assistant to the Assistant Attorney General.

(2) Chief, Lands Acquisition Section.

(3) Chief, Appellate Section.

(4) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(5) Chief, Indian Claims Section.

(i) Office of Alien Property. (1) One Deputy Director.

(j) Immigration and Naturalization Service. (1) General Counsel.

(2) One Confidential Assistant (Private Secretary) to the Commissioner.

(3) Executive Assistant to the Commissioner.

(4) Two Associate Commissioners, one for Operations, and one for Management.

(5) Four Deputy Associate Commissioners, one for each of the following: Domestic Control; Travel Control; Security; and Administrative Services.

(k) Board of Immigration Appeals. (1) Executive Assistant.

(2) The Chairman.

(3) Four Members of the Board.

(l) Office of Legal Counsel. (1) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(2) The First Assistant to the Assistant Attorney General.

(3) The second Assistant to the Assistant Attorney General.

(m) Bureau of Prisons. (1) The Director.

(2) [Reserved]

(3) Three Assistant Directors.

(4) Technical and Legislative Adviser.

- (n) *Federal Prison Industries, Inc.*
- (1) The Commissioner of Industries.
 - (2) [Reserved]
 - (3) The Associate Commissioner.
 - (o) *Office of U.S. Attorney.* (1) Secretary and Confidential Assistant to the U.S. Attorney (10 positions).
 - (p) *Internal Security Division.* (1) The First Assistant to the Assistant Attorney General.
 - (2) One Executive Assistant to the Assistant Attorney General.
 - (3) One Confidential Assistant to the Assistant Attorney General.
 - (4) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.
 - (5) Chief, Appeals and Research Section.
 - (6) Chief, Civil Section.
 - (7) Chief, Foreign Agents Registration Section.
 - (8) Chief, Criminal Section.
 - (q) *Civil Rights Division.* (1) The First Assistant to the Assistant Attorney General.
 - (2) Second Assistant to the Assistant Attorney General.
 - (3) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.
- § 213.3311 Post Office Department.**
- (a) *Office of the Postmaster General.*
 - (1) One Executive Assistant to the Postmaster General.
 - (2) Six Special Assistants to the Postmaster General.
 - (3) One Receptionist.
 - (4) Three Assistants to the Executive Assistant to the Postmaster General.
 - (5) Two Confidential Assistants to the Postmaster General.
 - (6) Two Secretaries to the Executive Assistant to the Postmaster General.
 - (7) One Secretarial Assistant to the Postmaster General.
 - (8) One Confidential Administrative Assistant to the Postmaster General.
 - (9) One Private Secretary to each of the three Assistants to the Executive Assistant to the Postmaster General.
 - (10) One Administrative Assistant to the Executive Assistant to the Postmaster General.
 - (11) One Deputy Special Assistant to the Postmaster General (Information).
 - (12) One Confidential Assistant to the Special Assistant to the Postmaster General (Information).
 - (13) One Private Secretary to the Special Assistant to the Postmaster General (Information).
 - (14) One Deputy Executive Assistant to the Postmaster General.
 - (15) The Director, Office of Regional Administration.
 - (16) One Director of Community Programs.
 - (17) One Private Secretary to the Deputy Executive Assistant to the Postmaster General.
 - (18) One Special Assistant to the Director, Office of Regional Administration.
 - (b) *Bureau of Facilities.* (1) One Confidential Assistant to the Assistant Postmaster General.
 - (2) One Private Secretary to the Assistant Postmaster General.

- (3) One Deputy Assistant Postmaster General.
 - (4) One Private Secretary to the Deputy Assistant Postmaster General.
 - (5) One Executive Assistant to the Assistant Postmaster General.
 - (6) [Reserved]
 - (7) One Private Secretary to the Executive Assistant to the Assistant Postmaster General.
 - (8) One Deputy Assistant Postmaster General.
 - (9) One Special Assistant to the Assistant Postmaster General.
 - (10) One Special Assistant to the Assistant Postmaster General (Financial Affairs).
 - (c) *Bureau of Transportation.* (1) One Special and Confidential Assistant to the Assistant Postmaster General.
 - (2) One Information Specialist.
 - (3) One Private Secretary to the Assistant Postmaster General.
 - (4) One Deputy Assistant Postmaster General.
 - (5) One Executive Assistant to the Assistant Postmaster General.
 - (6) One Deputy Assistant Postmaster General.
 - (d) *Bureau of Personnel.* (1) One Private Secretary to the Assistant Postmaster General.
 - (e) *Office of the General Counsel.* (1) Two Private Secretaries to the General Counsel.
 - (f) *Bureau of Operations.* (1) One Confidential Assistant to the Assistant Postmaster General.
 - (2) One Executive Assistant and two Special Assistants to the Assistant Postmaster General.
 - (3) One Private Secretary to the Assistant Postmaster General.
 - (4) Two Deputy Assistant Postmasters General.
 - (5) One Private Secretary to each of two Deputy Assistant Postmasters General.
 - (g) *Bureau of Finance.* (1) One Confidential Assistant to the Assistant Postmaster General.
 - (2) One Special Representative to the Assistant Postmaster General.
 - (3) One Private Secretary to the Assistant Postmaster General.
 - (h) *Office of the Deputy Postmaster General.* (1) One Executive Assistant to the Deputy Postmaster General.
 - (2) One Confidential Administrative Assistant to the Deputy Postmaster General.
 - (3) Two private Secretaries to the Deputy Postmaster General.
 - (4) One Private Secretary to the Executive Assistant to the Deputy Postmaster General.
- § 213.3312 Department of the Interior.**
- (a) *Office of the Secretary.* (1) Assistant to the Secretary.
 - (2) One Confidential Assistant and one Private Secretary to the Secretary.
 - (3) Four Special Assistants to the Secretary.
 - (4) Six Confidential Assistants (Field Representatives).
 - (5) Chauffeur for the Secretary.
 - (6) One Deputy Under Secretary.

- (7) Confidential Assistant (Administrative Assistant) to the Under Secretary.
- (8) Four Deputy Assistant Secretaries (one each for Mineral Resources, Public Land Management, Water and Power Development, and Fish and Wildlife); and one Confidential Assistant (Administrative Assistant) to each of the four Assistant Secretaries for Mineral Resources, Public Land Management, Water and Power Development, and Fish and Wildlife.
- (9) Director, Resources Program Staff.
- (10) Assistant Director, Resources Program Staff.
- (11) Planning Reports Review Coordinator, Resources Program Staff.
- (12) One Confidential Assistant (Administrative Assistant) to the Director, Resources Program Staff.
- (13) One Private Secretary to the Under Secretary.
- (14) One Assistant to the Secretary.
- (15) Director, Office of Oil and Gas.
- (16) One Secretarial Attendant to the Secretary.
- (17) Director, Office of Minerals and Solid Fuels.
- (18) Director, Office of Minerals Exploration.
- (19) Director, Office of Saline Water.
- (20) Administrator, Oil Import Administration.
- (21) Assistant to the Secretary (Congressional Liaison).
- (22) The Administrator, Defense Electric Power Administration, Office of the Assistant Secretary for Water and Power Development.
- (23) One Staff Assistant to the Assistant Secretary for Public Land Management.
- (24) One Assistant to the Secretary (International Affairs).
- (25) Director, Office of Water Resources Research.
- (26) Associate Director, Office of Water Resources Research.
- (27) One Special Assistant to the Secretary (Liaison-International Atomic Energy Agency).
- (28) One Assistant and Science Adviser to the Secretary.
- (29) One Coordinator, Interior Youth Conservation Center Program.
- (b) *Office of the Solicitor.* (1) One Confidential Assistant to the Solicitor.
- (2) Two Special Assistants to the Solicitor.
- (3) One Deputy Solicitor.
- (4) Five Associate Solicitors.
- (5) One Assistant to the Secretary and Legislative Counsel.
- (c) *U.S. Fish and Wildlife Service.* (1) One Special Assistant to the Commissioner of Fish and Wildlife.
- (d) *Bureau of Mines.* (1) One Private Secretary to the Director.
- (2) [Reserved]
- (3) One Assistant Director (Health and Safety).
- (4) One Deputy Director.
- (5) One Assistant Director (Helium Activities).
- (6) One Assistant Director (Minerals Research).
- (7) One Assistant Director (Mineral Resources Development).

(e) *Geological Survey.* (1) One Private Secretary to the Director.

(f) *Bureau of Reclamation.* (1) One Private Secretary to the Commissioner.

(2) Three Assistant Commissioners.

(g) *Southeastern Power Administration.* (1) Administrator.

(2) One Private Secretary to the Administrator.

(h) *National Park Service.* (1) Director.

(2) One Private Secretary to the Director.

(3) One Assistant Director.

(4) One Associate Director.

(i) *Bonneville Power Administration.* (1) Administrator.

(2) One Private Secretary to the Administrator.

(3) One Special Assistant to the Administrator.

(4) Two Assistants to the Administrator.

(j) *Bureau of Indian Affairs.* (1) Three Assistants to the Commissioner.

(2) One Private Secretary to the Commissioner.

(k) *Southwestern Power Administration.* (1) Administrator.

(2) Assistant Administrator.

(3) One Confidential Secretary, Office of the Administrator.

(l) *Office of Territories.* (1) One Director.

(2) One Confidential Assistant to the Director.

(3) Chief, Division of Insular Affairs.

(4) One Governor, American Samoa.

(5) One Secretary of American Samoa.

(6) One Chief Justice of American Samoa.

(7) The High Commissioner and one Deputy High Commissioner, Trust Territory of the Pacific Islands.

(8) One Private Secretary to the Governor of Virgin Islands.

(9) One Administrative Assistant to the Governor of Virgin Islands.

(10) One Assistant Director.

(11) One Confidential Assistant to the Governor of American Samoa.

(12) One Secretary to the Government Secretary of American Samoa.

(13) One Private Secretary to the Governor of Guam.

(14) One Secretary to the Government Secretary of Guam.

(15) Chief Justice of the Trust Territory.

(16) One Secretary to the High Commissioner of the Trust Territory.

(17) One Secretary to the Deputy High Commissioner of the Trust Territory.

(m) *Bureau of Outdoor Recreation.* (1) The Director.

(2) One Associate Director.

(3) One Confidential Assistant to the Director.

§ 213.3313 Department of Agriculture.

(a) *Office of the Secretary.* (1) One Administrative Assistant to the Secretary.

(2) One Assistant to the Secretary (States Relations).

(3) One Assistant to the Secretary (Agricultural Programs).

(4) One Executive Assistant to the Secretary.

(5) Five Confidential Assistants to the Secretary.

(6) One Private Secretary to the Secretary.

(7) Two Chauffeurs for the Secretary.

(8) One Private Secretary and Administrative Assistant to the Executive Assistant to the Secretary.

(9) One Confidential Assistant to the Assistant Secretary for Marketing and Consumers' Services.

(10) One Private Secretary to each of the three Assistant Secretaries other than the Administrative Assistant Secretary.

(11) One Staff Assistant—Program Appraisal.

(12) One Special Assistant to the Secretary.

(13) One Private Secretary and Administrative Assistant to the Assistant to the Secretary (Agricultural Programs).

(14) One Assistant to the Secretary (Administrative Officer).

(15) One Assistant to the Secretary (Counsel on Consumer Interests).

(16) One Assistant to the Secretary (Defense Mobilization Planning).

(17) One Assistant to the Secretary (Civil Rights and Equal Opportunity in Employment and Housing).

(18) One Deputy Assistant Secretary (Rural Development and Conservation).

(19) One Deputy Assistant Secretary (International Affairs).

(20) One Confidential Assistant to the Assistant Secretary for Rural Development and Conservation.

(21) One Deputy Assistant Secretary (Marketing and Consumer Services).

(22) One Confidential Assistant to the Executive Assistant to the Secretary.

(b) *Rural Electrification Administration.* (1) One Private Secretary to the Administrator.

(2) One Deputy Administrator.

(3) Two Assistant Administrators.

(4) Three Assistants to the Administrator.

(c) *Office of the Under Secretary.* (1) One Administrative Officer and Private Secretary to the Under Secretary.

(2) One Deputy Under Secretary.

(3) One Private Secretary to the Deputy Under Secretary.

(d) *Office of the General Counsel.* (1) One Deputy General Counsel.

(2) Three Assistant General Counsels.

(3) One Private Secretary to the General Counsel.

(e) *Foreign Agricultural Service.* (1) Three Assistant Administrators.

(2) The Administrator.

(3) General Sales Manager.

(4) Deputy General Sales Manager.

(5) The Associate Administrator.

(f) *Farmers Home Administration.* (1) One Deputy Administrator.

(2) One Assistant Administrator.

(3) One Assistant to the Administrator.

(4) Two Confidential Assistants to the Administrator.

(5) One Private Secretary to the Administrator.

(6) One Assistant Administrator (Insured Loan Funds).

(g) *Federal Crop Insurance Corporation.* (1) The Manager.

(2) Members of the Board of Directors.

(3) One Private Secretary to the Manager.

(4) One Deputy Manager.

(h) *Agricultural Stabilization and Conservation Service.* (1) Administrator.

(2) One Associate Administrator.

(3) Two Deputy Administrators.

(4) Six Confidential Assistants to the Administrator.

(5) One Private Secretary to the Administrator.

(6) Director, Livestock and Dairy Policy Staff.

(7) Director, Grain Policy Staff.

(8) Director, Cotton Policy Staff.

(9) Director, Oils and Peanut Policy Staff.

(10) Director, Sugar Policy Staff.

(11) Director, Tobacco Policy Staff.

(12) Director, Policy and Program Appraisal.

(13) Director, Conservation and Land Use Policy Staff.

(i) *Commodity Credit Corporation.* (1) The President.

(2) The Executive Vice-President.

(3) The Secretary.

(4) One Confidential Assistant to the President.

(j) *Federal Extension Service.* (1) The Administrator.

(2) One Deputy Administrator.

(3) One Private Secretary to the Administrator.

(k) *Soil Conservation Service.* (1) Administrator.

(2) One Associate Administrator.

(3) One Confidential Assistant to the Administrator.

(4) One Private Secretary to the Administrator.

(l) [Reserved]

(m) *Consumer and Marketing Service.* (1) The Administrator.

(2) One Private Secretary to the Administrator.

(3) Two Confidential Assistants to the Administrator.

(n) *Agricultural Economics.* (1) The Director.

(2) One Confidential Assistant to the Director.

(3) One Private Secretary to the Director.

(4) Two Staff Assistants to the Director.

(o) *Rural Community Development Service.* (1) Administrator.

(2) Deputy Administrator.

(3) One Private Secretary to the Administrator.

(4) One Private Secretary to the Deputy Administrator.

(p) *Science and Education.* (1) The Director.

(q) *International Agricultural Development Service.* (1) The Administrator.

§ 213.3314 Department of Commerce.

(a) *Office of the Secretary.* (1) Nine Confidential Assistants to the Secretary.

(2) Three Private Secretaries to the Secretary.

(3) One Confidential Assistant and two Private Secretaries to the Under Secretary.

(4) One Confidential Assistant and one Private Secretary to the Under Secretary for Transportation.

(5) One Confidential Assistant and one Private Secretary to the Assistant Secretary for Economic Affairs.

(6) One Confidential Assistant and one Private Secretary to the General Counsel.

(7) One Private Secretary to the Deputy Under Secretary for Transportation (Operations).

(8) Deputy General Counsel.

(9) One Private Secretary to the Deputy General Counsel.

(10) One Special Assistant to the Secretary.

(11) One Chauffeur for the Secretary.

(12) One Deputy Assistant Secretary of Commerce for Economic Affairs.

(13) One Private Secretary to the Deputy Assistant Secretary for Economic Affairs.

(14) One Confidential Assistant to the Assistant Secretary for Administration.

(15) Two Congressional Liaison Officers.

(16) Director, Office of Field Services.

(17) One Deputy Under Secretary for Transportation (Operations).

(18) [Reserved]

(19) One Special Assistant to the Director, Office of Field Services.

(20) One Private Secretary to the Director, Office of Field Services.

(21) Director, Office of Emergency Transportation.

(22) Deputy Director, Office of Emergency Transportation.

(23) One National Export Expansion Coordinator.

(24) One Special Assistant to the National Export Expansion Coordinator.

(25) One Private Secretary to the National Export Expansion Coordinator.

(26) One Special Assistant to the Secretary (Economic Affairs).

(27) One Deputy National Export Expansion Coordinator.

(28) One Confidential Assistant to the Deputy to the Secretary.

(29) One Confidential Assistant to the Under Secretary for Transportation.

(30) Deputy Assistant Secretary for Economic Policy Review, Office of the Assistant Secretary for Economic Affairs.

(31) Deputy Assistant Secretary for Statistics and Economic Research, Office of the Assistant Secretary for Economic Affairs.

(32) Director, Transportation Research Staff, Office of the Deputy Under Secretary for Transportation (Policy).

(33) Director, Office of Appalachian Assistance.

(34) Director, Office of Transportation Policy Development.

(35) One Deputy Under Secretary.

(36) One Private Secretary to the Deputy Under Secretary.

(37) One Deputy Under Secretary for Transportation Research.

(b) *Inland Waterways Corporation.*

(1) Chairman of the Advisory Board.

(c) *Business and Defense Services Administration.* (1) Administrator.

(2) Three Confidential Assistants to the Administrator.

(3) Deputy Administrator.

(4) One Confidential Assistant to the Deputy Administrator.

(5) One Secretarial Assistant to the Administrator.

(6) The Assistant Administrator for International Commodity Activities.

(7) The Assistant Administrator for Business and Government Services.

(8) One Confidential Secretary to the Administrator.

(d) *Bureau of Census.* (1) [Reserved]

(2) One personal assistant to the Director.

(e) [Reserved]

(f) *National Bureau of Standards.* (1) One Private Secretary to the Director.

(g) *Bureau of Public Roads.* (1) Solicitor.

(2) Four Special Assistants to the Federal Highway Administrator.

(3) One Private Secretary to the Federal Highway Administrator.

(4) One Private Secretary to the Solicitor.

(5) The Deputy Federal Highway Administrator.

(h) *Patent Office.* (1) Private Secretary to the Commissioner, and to each of the Assistant Commissioners.

(2) Assistant to the Commissioner.

(3) One Confidential Secretary to the Chairman of the President's Commission on the Patent System.

(i) [Reserved]

(j) *Maritime Administration.* (1) General Counsel.

(2) Two Confidential Assistants to the Administrator.

(3) One Private Secretary to the General Counsel.

(k) *Area Redevelopment Administration.* (1) One Deputy Administrator.

(2) One Assistant Administrator (Area Operations).

(3) Five Special Assistants to the Administrator.

(4) One Private Secretary to the Administrator.

(5) One Private Secretary to the Deputy Administrator.

(6) One Private Secretary to the Assistant Administrator (Area Operations).

(7) Staff Director, Appalachian Project.

(l) *U.S. Travel Service.* (1) One Confidential Assistant to the Director.

(2) The Deputy Director.

(3) One Private Secretary to the Deputy Director.

(m) *Office of the Assistant Secretary for Domestic and International Business.* (1) One Private Secretary and two Confidential Assistants to the Assistant Secretary for Domestic and International Business.

(2) One Deputy Assistant Secretary for Domestic Business Policy.

(3) One Private Secretary to the Deputy Assistant Secretary for Domestic Business Policy.

(4) One Deputy Assistant Secretary for Trade Policy.

(5) One Deputy Assistant Secretary for Financial Policy.

(6) One Private Secretary to the Deputy Assistant Secretary for Trade Policy.

(7) One Private Secretary to the Deputy Assistant Secretary for Financial Policy.

(8) The Director, Bureau of International Commerce.

(9) One Deputy Director, Bureau of International Commerce.

(10) One Private Secretary to the Director, Bureau of International Commerce.

(11) One Private Secretary to the Deputy Director, Bureau of International Commerce.

(12) The Director, Office of Trade Adjustment.

(13) One Private Secretary to the Director, Office of Trade Adjustment.

(14) Executive Director, Export Expansion Councils, Office of Field Services.

(n) *Office of the Assistant Secretary for Science and Technology.* (1) One Deputy Assistant Secretary for Science and Technology.

(2) Two Special Assistants to the Assistant Secretary for Science and Technology.

(o) *Community Relations Service.* (1) One Deputy Director.

(2) One Legal Adviser.

(3) One Associate Director for Conciliation.

(4) One Special Assistant to the Director.

(5) One Assistant for Program Development.

(6) One Volunteer Group Liaison Officer.

(7) One Government Services Liaison Officer.

(8) Two Private Secretaries to the Director.

(9) One Private Secretary to the Deputy Director.

(10) One Private Secretary to the Associate Director for Conciliation.

(11) One Private Secretary to the Legal Adviser.

(12) One Private Secretary to the Special Assistant to the Director.

(p) *Environmental Science Services Administration.* (1) One Private Secretary to the Administrator.

(2) One Private Secretary to the Deputy Administrator.

(q) *Office of the Assistant Secretary for Economic Development.* (1) Five Special Assistants to the Administrator, Economic Development Administration.

(2) One Private Secretary to the Administrator, Economic Development Administration.

(3) One Private Secretary to the Deputy Administrator, Economic Development Administration.

(4) One Private Secretary to each of the five Special Assistants to the Administrator, Economic Development Administration.

(5) One Deputy Administrator, Economic Development Administration.

(6) One Deputy Assistant Secretary for Economic Development (Liaison).

(7) One Deputy Assistant Secretary for Economic Development (Operations).

(8) Two Special Assistants to the Assistant Secretary for Economic Development.

(9) Two Private Secretaries to the Assistant Secretary for Economic Development.

(10) One Private Secretary to each of the two Deputy Assistant Secretaries for Economic Development.

(11) The Director, Office of Regional Economic Development.

(12) The Deputy Director, Office of Regional Economic Development.

(13) One Special Assistant to the Director, Office of Regional Economic Development.

(14) One Private Secretary each to the Director and Deputy Director, Office of Regional Economic Development.

§ 213.3315 Department of Labor.

(a) *Office of the Secretary.* (1) Four Special Assistants, three Confidential Assistants, and one Confidential Assistant (Private Secretary) to the Secretary of Labor.

(2) One Chauffeur for the Secretary of Labor.

(3) One Special Assistant and one Private Secretary to the Under Secretary of Labor.

(4) One Private Secretary to each Assistant Secretary of Labor who is appointed by the President.

(5) One Private Secretary to the Secretary.

(6) Two Confidential Assistants to the Under Secretary of Labor.

(7) One Confidential Assistant to the Assistant Secretary.

(8) One Executive Assistant to the Secretary.

(9) One Special Assistant to the Secretary.

(10) One Assistant to each Assistant Secretary of Labor appointed by the President.

(11) One Special Assistant to the Assistant Secretary for Labor-Management Relations.

(12) One Private Secretary to the Executive Assistant to the Secretary.

(13) One Confidential Assistant to the Assistant Secretary for International Labor Affairs.

(14) One Assistant to the Special Assistant to the Secretary, Office of Legislative Liaison.

(15) One Economic Adviser to the Secretary.

(16) One Confidential Aide in the Office of the Assistant Secretary for Planning and Policy Development.

(17) The Manpower Administrator.

(18) The Labor-Management Services Administrator.

(19) The Director, Neighborhood Youth Corps.

(20) One Private Secretary to the Economic Adviser to the Secretary.

(21) One Private Secretary to the Manpower Administrator.

(22) Director, Office of Manpower, Automation, and Training.

(23) One Private Secretary to the Director, Office of Manpower, Automation, and Training.

(b) *Office of the Solicitor.* (1) One Private Secretary to the Solicitor.

(c) *Bureau of Employment Security.* (1) The Administrator.

(2) One Secretary (Stenography) in the Office of the Administrator.

(d) *Bureau of Labor Statistics.* (1) One Private Secretary to the Commissioner.

(e) *Bureau of Apprenticeship and Training.* (1) Administrator.

(2) One Private Secretary to the Administrator.

(f) *Women's Bureau.* (1) One Private Secretary to the Director.

(2) Two Special Assistants to the Director.

(g) *Bureau of Labor Standards.* (1) Director.

(2) One Private Secretary to the Director.

(3) One Confidential Assistant to the Director.

(h) *Wage and Hour and Public Contracts Divisions.* (1) Deputy Administrator.

(2) One Confidential Assistant to the Administrator.

(i) *Bureau of Veterans Reemployment Rights.* (1) Director.

(j) *Bureau of Employees' Compensation.* (1) Director.

(k) *President's Committee on Migratory Labor.* (1) The Executive Director.

(l) *The President's Committee on Manpower.* (1) The Executive Director.

§ 213.3316 Department of Health, Education, and Welfare.

(a) *Office of the Secretary.* (1) Director of Security.

(2) Two Confidential Assistants to the Secretary.

(3) Publications Writer.

(4) Two Assistants to the Secretary.

(5) One Executive Secretary.

(6) Two Confidential Secretaries to the Under Secretary.

(7) One Assistant to the Secretary.

(8) One Congressional Liaison Officer.

(9) One Assistant to the Congressional Liaison Officer.

(10) One Confidential Assistant to the Under Secretary.

(11) [Reserved]

(12) One Confidential Secretary to the Assistant to the Secretary authorized under subparagraph (7) of this paragraph.

(13) One Staff Assistant to the Secretary.

(14) One Confidential Secretary to one of the Special Assistants to the Secretary authorized under subparagraph (4) of this paragraph.

(15) [Reserved]

(16) One Assistant to the Under Secretary (Manpower Training).

(17) One Staff Assistant to the Under Secretary (Manpower Training).

(18) One Assistant to the Secretary (for Educational Television).

(19) One Deputy Assistant to the Secretary (for Educational Television).

(20) Special Assistant to the Secretary (for Mental Retardation Activities).

(21) Two Confidential Secretaries to the Special Assistant to the Secretary (for Mental Retardation Activities).

(22) Deputy Special Assistant to the Secretary (for Mental Retardation Activities).

(23) One Assistant to the Secretary for Special Programs.

(24) Director, Office of Economic and Social Analysis.

(25) One Confidential Assistant to the Special Assistant to the Secretary (for Mental Retardation Activities).

(b) *Vocational Rehabilitation Administration.* (1) Commissioner of Vocational Rehabilitation.

(2) One Deputy Commissioner.

(c) *Office of Education.* (1) One Special Assistant to the Commissioner of Education.

(2) One Assistant to the Commissioner (Public Affairs).

(3) Deputy Commissioner of Education.

(4) One Assistant to the Deputy Commissioner.

(5) One Staff Assistant to the Deputy Commissioner.

(6) One Confidential Secretary to the Deputy Commissioner.

(d) *Office of the Assistant Secretary for Federal-State Relations.* (1) One Confidential Assistant to the Assistant Secretary.

(2) One Special Assistant on Federal-State Problems.

(3) One Special Assistant.

(4) One Deputy Assistant Secretary for Federal-State Relations.

(5) One Confidential Secretary to the Deputy Assistant Secretary for Federal-State Relations.

(e) *Office of the General Counsel.* (1) One Associate General Counsel.

(f) *Office of the Assistant Secretary for Legislation.* (1) Three Special Assistants to the Assistant Secretary.

(2) One Deputy Assistant Secretary for Legislation.

(3) One Program Coordination Officer.

(4) One Confidential Secretary to the Deputy Assistant Secretary for Legislation.

(5) The Director, Office of Program Analysis, and Special Assistant to the Assistant Secretary (for Legislation).

(6) One Deputy Assistant Secretary for Legislative Services.

(7) Two Confidential Secretaries to the Assistant Secretary.

(g) *Welfare Administration.* (1) The Commissioner.

(2) One Deputy Commissioner.

(3) [Reserved]

(h) *Office of the Assistant Secretary for Health and Scientific Affairs.* (1) Two Confidential Secretaries to the Assistant Secretary for Health and Scientific Affairs.

(i) *Administration on Aging.* (1) Deputy Commissioner.

§ 213.3322 Interstate Commerce Commission.

(a) One Private Secretary to each Commissioner.

(b) Managing Director.

(c) One Congressional Liaison Officer.

§ 213.3323 General Accounting Office.

(a) One Administrative Assistant (Confidential Assistant) to the Comptroller General.

(b) Two Private Secretaries to the Comptroller General.

§ 213.3325 The Tax Court of the United States.

(a) One Private Secretary and two Technical Assistants for the Chief Judge and each Judge.

§ 213.3326 Office of Emergency Planning.

(a) Office of the Director. (1) Two Administrative Assistants to the Director.

(2) One Courier.

(3) Two Special Assistants to the Director.

(4) Legal Adviser.

(5) One Information Specialist.

(b) Office of the Deputy Director. (1) One Confidential Administrative Assistant to the Deputy Director.

(2) One Secretary to the Deputy Director.

(c) Office of the Assistant Director for Telecommunications Management. (1) One Confidential Administrative Assistant to the Assistant Director.

(2) One Technical Assistant to the Director of Telecommunications Management (Space Communications).

(d) Office of the Assistant Director.

(1) One Confidential Administrative Assistant to the Assistant Director.

(e) Office of the Assistant Director.

(1) One Confidential Administrative Assistant to the Assistant Director.

(f) Office of Liaison and Public Affairs. (1) The Director.

(2) Director, Information and Press Relations Division.

(3) Director, Federal-State and International Relations Division.

(g) Economic Affairs Office. (1) The Director.

(h) [Reserved]

(i) Program Development Office. (1) The Director.

(j) Government Readiness Office. (1) The Director.

(2) Coordinator, National Defense Executive Reserve.

(k) [Reserved]

(l) Resource Readiness Office. (1) The Director.

(m) Telecommunications Office. (1) The Director.

(n) Program Evaluation Office. (1) The Director.

§ 213.3327 Veterans Administration.

(a) Office of the Administrator. (1) Two Special Assistants to the Administrator.

(2) Two Confidential Assistants to the Special Assistant to the Administrator.

(3) The Deputy Administrator.

(4) The General Counsel.

(5) The Associate Deputy Administrator.

(6) Chairman, Administrator's Advisory Council.

(7) One Assistant Deputy Administrator.

(8) One Confidential Assistant to the Associate Deputy Administrator.

(b) Department of Veterans Benefits. (1) The Chief Benefits Director.

(c) Department of Data Management. (1) The Chief Data Management Director.

(2) The Chief Data Management Director.

§ 213.3328 United States Information Agency.

(a) One Secretarial Assistant to the Deputy Director.

(b) One Executive Assistant to the Director.

(c) One Secretarial Assistant to the Director.

(d) One Secretary to the Director.

(e) One Special Assistant to the Deputy Director.

(f) One Special Assistant to the Director.

§ 213.3329 Federal Power Commission.

(a) Three Private Secretaries in the Office of the Chairman, one Confidential Assistant to the Chairman, and one Private Secretary, and one Confidential Assistant to each other Commissioner.

(b) One Assistant to the Chairman.

(c) General Counsel.

(d) Executive Director.

(e) Two Private Secretaries to the Executive Director.

(f) Two Technical Assistants to each Commissioner.

(g) Chief, Bureau of Power.

(h) Chief, Bureau of Natural Gas.

(i) The Assistant Executive Director.

§ 213.3330 Securities and Exchange Commission.

(a) One General Counsel.

(b) One Chief Accountant.

(c) [Reserved]

(d) One Confidential Assistant to each Member of the Commission (five positions).

(e) One Executive Assistant to the Chairman.

§ 213.3331 National Mediation Board.

(a) One Private Secretary to each Member of the National Railroad Adjustment Board.

(b) One Private Secretary to each Member of the Third Division Regional Supplemental Railroad Adjustment Board (10 positions).

(c) One Private Secretary to each member of the First Division, Firemen's Supplemental Adjustment Board, National Railroad Adjustment Board.

§ 213.3332 Small Business Administration.

(a) Three Deputy Administrators.

(b) One Special Assistant to each Deputy Administrator.

(c) Two Special and Confidential Assistants to the Administrator.

(d) One General Counsel.

(e) [Reserved]

(f) Assistant Administrator for Economics.

(g) [Reserved]

(h) Two Special Assistants to the Administrator.

(i) Two Private Secretaries to the Administrator.

(j) [Reserved]

(k) Director, Office of Procurement Services.

(l) [Reserved]

(m) The Deputy Administrator for the Small Business Investment Division.

(n) and (o) [Reserved]

(p) Director, Office of Loan Processing.

(q) Director, Office of Loan Administration.

(r) Director, Office of Area Redevelopment Loans.

(s) [Reserved]

(t) One Staff Assistant to the Administrator.

(u) The Executive Administrator.

(v) Four Assistant Deputy Administrators.

(w) One Assistant to the Special Assistant for Advisory Councils.

(x) One Special Assistant (Minority Groups).

(y) Director, Office of Public Information.

(z) Assistant Administrator for Management Assistance.

(aa) Deputy Assistant Administrator for Management Assistance.

(bb) One Confidential Assistant to the Administrator (Economic Opportunity).

(cc) One Director, Office of Economic Opportunity Assistance.

(dd) One Assistant for Congressional Relations.

(ee) Assistant Deputy Administrator for Procurement and Management Assistance.

(ff) Director, Office of Procurement Assistance.

§ 213.3333 Federal Deposit Insurance Corporation.

(a) One Assistant to each member of the Board of Directors.

(b) One Confidential Assistant to the Board of Directors.

(c) General Counsel.

(d) One Special Assistant to the Chairman.

(e) Executive Assistant and Controller.

§ 213.3334 Federal Trade Commission.

(a) General Counsel.

(b) Director, Bureau of Economics.

(c) One Secretary of the Federal Trade Commission.

(d) Executive Director.

(e) One Confidential Assistant and Chief Legal Adviser to the Chairman.

(f) Director, Bureau of Restraint of Trade.

(g) Director, Bureau of Deceptive Practices.

(h) Director, Bureau of Field Operations.

(i) Director, Bureau of Textiles and Furs.

(j) Director, Bureau of Industry Guidance.

§ 213.3337 General Services Administration.

(a) Office of the Administrator. (1) Six Members of the Board of Contract Appeals.

(2) The Deputy Administrator.

(3) One Special Assistant to the Administrator.

(4) Three Confidential Assistants to the Administrator.

(5) The Assistant Administrator.

(6) Two Confidential Assistants to the Assistant Administrator.

(7) Two Assistants to the Assistant Administrator.

(8) One Deputy Assistant Administrator.

(9) Two Confidential Assistants to the Deputy Administrator.

(10) One Assistant to the Assistant Administrator.

(b) *Public Buildings Service.* (1) The Commissioner.

(c) *Federal Supply Service.* (1) The Commissioner.

(d) *National Archives and Records Service.* (1) The Archivist of the United States.

(e) *Defense Materials Service.* (1) The Commissioner.

(f) *Transportation and Communications Service.* (1) The Commissioner.

(g) *Utilization and Disposal Service.* (1) The Commissioner.

§ 213.3338 Federal Communications Commission.

(a) One General Counsel.

(b) One Chief Engineer.

§ 213.3339 U.S. Tariff Commission.

(a) One Private Secretary to each Commissioner.

§ 213.3340 Civil Aeronautics Board.

(a) One Special Assistant to the Chairman of the Board.

(b) General Counsel of the Board.

(c) Director, Bureau of Economic Regulation.

(d) One Special Assistant for Congressional Relations.

(e) One Secretary to the Special Assistant for Congressional Relations.

(f) Director, Bureau of Safety.

(g) One Administrative Assistant to each Member of the Board.

(h) One Secretary to each Member of the Board.

(i) The Executive Director of the Board.

§ 213.3341 National Labor Relations Board.

(a) One Private Secretary to the Chairman of the Board.

(b) One Solicitor.

(c) One Chief Legal Assistant to each Board Member.

(d) One Confidential Assistant to each Board Member.

(e) One Associate General Counsel, Division of Operations.

(f) One Associate General Counsel, Division of Law.

(g) Three Special Assistants to the General Counsel.

(h) One Confidential Assistant to the General Counsel.

§ 213.3342 Export-Import Bank of Washington.

(a) One Executive Vice-President.

(b) One Confidential Assistant to the President.

(c) One Private Secretary to the First Vice-President.

(d) The General Counsel.

(e) One Private Secretary to each of the three members of the Board of Directors.

(f) Chief, Office of Program Planning and Information.

(g) One Vice-President for Exporter Credits, Guarantees, and Insurance.

(h) [Reserved]

(i) One Special Assistant to the President and Chairman.

(j) One Treasurer-Controller.

§ 213.3343 Farm Credit Administration.

(a) Three Directors of Credit Services.

(b) One General Counsel.

(c) One Deputy Governor.

(d) Three Deputy Directors of Credit Services.

§ 213.3344 Housing and Home Finance Agency.

(a) *Office of the Administrator.* (1) One Deputy Administrator.

(2) One Assistant Administrator (Program Policy).

(3) General Counsel.

(4) One Assistant Administrator (International Housing).

(5) Community Facilities Commissioner.

(6) Deputy Urban Renewal Commissioner.

(7) One Assistant Administrator for Public Affairs.

(8) One Special Assistant to the Administrator.

(9) One Special Assistant (Administrator's Office).

(10) One Assistant Commissioner for Program Planning, Urban Renewal Administration.

(11) One Confidential Assistant to the Commissioner, Urban Renewal Administration.

(12) Two Secretaries to the Community Facilities Commissioner.

(13) One Secretary to the General Counsel.

(14) One Secretary to the Congressional Liaison Officer.

(15) Assistant Commissioner for Technical Standards, Urban Renewal Administration.

(16) One Secretary to the Assistant Administrator (Program Policy).

(17) Assistant Administrator (Housing for Senior Citizens).

(18) One Private Secretary to the Assistant Administrator (Community Programs).

(19) Deputy Assistant Administrator (Housing for Senior Citizens).

(20) Two Special Assistants to the Commissioner, Community Facilities Administration.

(21) Three Assistants to the Congressional Liaison Officer.

(22) One Assistant Administrator (Community Programs).

(23) One Executive Assistant to the Commissioner, Urban Renewal Administration.

(24) One Assistant Commissioner for Field Operations, Urban Renewal Administration.

(25) Assistant Administrator (Transportation).

(26) One Secretary to the Special Assistant to the Administrator.

(27) One Private Secretary to the Assistant Administrator (Transportation).

(28) One Deputy Assistant Administrator (Program Policy).

(29) One Deputy Assistant Administrator (Transportation).

(30) One Secretary and Confidential Assistant to the Assistant Administrator for Public Affairs.

(31) One Congressional Liaison Officer.

(32) One Assistant Commissioner for Urban Planning and Community Development, Urban Renewal Administration.

(33) One Assistant Administrator (Metropolitan Development).

(34) One Deputy Commissioner, Community Facilities Administration.

(35) and 36 [Reserved]

(37) One Secretary and Confidential Assistant to the Deputy Commissioner, Community Facilities Administration.

(38) The Chief Counsel, Community Facilities Administration.

(39) The Chief Counsel, Urban Renewal Administration.

(40) One Secretary and Confidential Assistant to the Assistant Administrator (Metropolitan Development).

(41) One Special Assistant to the Commissioner, Urban Renewal Administration.

(42) One Assistant to the Deputy Commissioner, Community Facilities Administration.

(43) One Assistant Commissioner for Operations and Engineering, Community Facilities Administration.

(44) One Assistant Commissioner for Program Development, Community Facilities Administration.

(45) One Assistant Commissioner for Management Control, Community Facilities Administration.

(46) One Special Counsel and Assistant to the Deputy Administrator.

(47) One Secretary to the Chief Counsel, Community Facilities Administration.

(b) *Federal Housing Administration.*

(1) One Deputy Commissioner.

(2) One General Counsel.

(3) One Assistant Commissioner, Technical Standards.

(4) One Assistant to the Commissioner.

(5) One Assistant to the Commissioner (Intergroup Relations Service).

(6) One Assistant Commissioner for Programs.

(7) Director, Program Division.

(8) One Confidential Assistant to the Assistant Commissioner for Programs.

(9) One Congressional Liaison Officer.

(10) One Special Assistant for Elderly Housing.

(11) One Special Assistant for Nursing Homes.

(12) One Assistant Commissioner for Multifamily Housing.

(13) One Assistant Commissioner (Executive Officer).

(14) One Assistant Commissioner for Congressional Liaison and Public Information.

(15) Special Assistant for Home Improvement Plans and Mortgage Servicing.

(16) One Assistant to the Commissioner—Special Projects.

(17) [Reserved]

(18) One Associate Deputy Commissioner for Operations.

(19) One Associate Deputy Commissioner for Management.

(20) One Assistant Commissioner for Home Mortgages.

(21) One Assistant Commissioner for Property Improvement.

(c) *Public Housing Administration*.
(1) One Special Assistant to the Commissioner (Liaison).

(2) One Special Assistant to the Commissioner (Racial Relations).

(3) General Counsel.

(4) One Deputy Commissioner.

(5) One Confidential Assistant to the Commissioner.

(6) One Assistant Commissioner for Development.

(7) One Assistant Commissioner for Management.

(8) One Assistant Commissioner for Program Planning.

(d) *Federal National Mortgage Association*. (1) The President.

§ 213.3345 Indian Claims Commission.

(a) One Private Secretary to each Commissioner.

§ 213.3347 Federal Mediation and Conciliation Service.

(a) One General Counsel.

§ 213.3348 National Aeronautics and Space Administration.

(a) One Secretary to the Administrator.

(b) One Secretary to the Deputy Administrator.

(c) [Reserved]

(d) One Secretary (Stenography) to the Associate Administrator for Manned Space Flight.

(e) One Confidential Assistant to the Assistant Administrator for Management Development.

(f) One Confidential Assistant to the Executive Secretary.

§ 213.3350 Foreign Claims Settlement Commission of the United States.

(a) Special Assistant to the Commissioners.

(b) One Confidential Assistant to the Chairman.

(c) One Private Secretary to the Chairman and to each of the other two Commissioners.

§ 213.3351 Subversive Activities Control Board.

(a) One Executive Secretary and Chief Clerk.

(b) One Private Secretary to each Member of the Board.

(c) One Confidential Administrative Assistant to each Member of the Board.

§ 213.3352 Saint Lawrence Seaway Development Corporation.

(a) One Private Secretary to the Administrator.

(b) One Special Assistant to the Administrator.

§ 213.3354 Federal Home Loan Bank Board.

(a) [Reserved]

(b) One Director, Federal Home Loan Bank Operations.

(c) One General Counsel.

(d) [Reserved]

(e) Two Secretaries to the Chairman of the Board.

(f) Two Secretaries to Board Members.

(g) Director, Federal Savings and Loan Insurance Corporation.

(h) and (i) [Reserved]

(j) One Director, Office of Research and Home Finance.

(k) One Director, Office of Examinations and Supervision.

(l) [Reserved]

(m) One Assistant to each of three Board Members (including the Chairman).

(n) One Private Secretary to the Assistant to each of three Board Members (including the Chairman).

(o) Deputy Director, Federal Savings and Loan Insurance Corporation.

§ 213.3355 The Renegotiation Board.

(a) One Special Assistant to the Chairman and one Special Assistant to each of the other four Renegotiation Board Members.

(b) One Secretary to the Chairman.

(c) One Secretary to each of the four Board Members.

§ 213.3356 Commission on Civil Rights.

(a) [Reserved]

(b) Director, Field Services Division.

(c) One Confidential Secretary to the Staff Director.

(d) One Program Assistant (Special Assistant to the Staff Director).

(e) One Special Assistant for Public Affairs.

§ 213.3357 Federal Aviation Agency.

(a) Two Assistants to the Chief, Congressional Relations Division.

(b) The Director of Information Services.

(c) [Reserved]

(d) One Private Secretary to the Administrator.

(e)-(i) [Reserved]

(j) Assistant Administrator for Congressional Liaison.

(k) One Congressional Liaison Specialist.

§ 213.3359 National Capital Transportation Agency.

(a) One Confidential Assistant to the Administrator.

(b) One Confidential Assistant to the Deputy Administrator.

(c) One Special Assistant to the Administrator.

(d) One Legislative Assistant.

(e) One Special Assistant for Congressional Liaison.

§ 213.3360 Peace Corps.

(a) One Confidential Assistant (Secretary) to the Director.

(b) Two Confidential Secretaries (Stenography) to the Director.

(c) The General Counsel.

(d) The Associate Director, Office of Program Development and Operations.

(e) The Associate Director, Office of Peace Corps Volunteers.

(f) One Deputy Associate Director, Office of Peace Corps Volunteers.

(g) The Associate Director, Office of Public Affairs.

(h) One Deputy Associate Director, Office of Public Affairs.

(i) Associate Director, Office of Planning, Evaluation, and Research.

(j) The Chief, Division of Public Information.

(k) One Deputy Associate Director, Office of Program Development and Operations.

(l) One Special Assistant for Congressional Relations, Office of Public Affairs.

(m) The Chief, Division of Training.

(n) One Special Assistant to the Director.

(o) The Chief, Division of Selection, Office of Peace Corps Volunteers.

(p) One Confidential Assistant (Secretary) to the Deputy Director.

(q) Director, Division of Planning, Office of Planning, Evaluation, and Research.

(r) The Executive Secretary.

(s) The Director, Division of University, Private, and International Cooperation.

(t) The Deputy Director, Division of University, Private, and International Cooperation.

(u) The Director and the Deputy Director, Africa Regional Office.

(v) The Director, Division of Program Development and Coordination.

(w) Director, Division of Evaluation, Office of Planning, Evaluation, and Research.

(x) Deputy Associate Director, Office of Planning, Evaluation, and Research.

(y) One Staff Adviser for International Programs.

(z) Director, Division of Volunteer Support.

(aa) One Confidential Assistant to the Director.

§ 213.3364 U.S. Arms Control and Disarmament Agency.

(a) One Private Secretary to the Director.

(b) One Private Secretary to the Deputy Director.

(c) One Private Secretary to each Assistant Director appointed by the President (four positions).

(d) One Public Affairs Adviser.

(e) One Special Assistant to the Deputy Director.

(f) Three Disarmament Advisers, Disarmament Advisory Staff.

(g) The General Counsel.

(h) One Private Secretary to the General Counsel.

§ 213.3367 Federal Maritime Commission.

(a) One Confidential Assistant to each Commissioner.

(b) The Managing Director.

(c) The General Counsel.

(d) One Private Secretary to the Chairman, one Private Secretary to each Commissioner, one Private Secretary to the General Counsel, and one Private Secretary to the Managing Director.

§ 213.3368 Agency for International Development.

(a) *Office of the Administrator*. (1) Three Special Assistants to the Administrator.

(2) One Confidential Assistant (Private Secretary) to the Administrator.

(3) One Chauffeur for the Administrator.

(4) One Private Secretary to each of the two Deputy Administrators.

(b) *Office of the Assistant Administrator for Congressional Liaison.* (1) One Staff Assistant to the Assistant Administrator.

(2) One Private Secretary to the Assistant Administrator.

(c) *Office of the General Counsel.* (1) One Private Secretary to the General Counsel.

(2) The General Counsel.

(d) *Office of the Assistant Administrator for Development Finance and Private Enterprise.* (1) One Special Assistant (Confidential) to the Assistant Administrator.

§ 213.3369 **President's Committee on Equal Opportunity in Housing.**

(a) The Staff Director.

§ 213.3371 **President's Committee on Consumer Interests.**

(a) One Confidential Assistant.

(b) The Executive Director.

(c) One Congressional Liaison Specialist.

§ 213.3372 **Administrative Office of the U.S. Courts.**

(a) One Assistant Director.

§ 213.3373 **Office of Economic Opportunity.**

(a) *Office of the Director.* (1) One Executive Secretary.

(2) One Assistant Director for Inter-agency Relations.

(3) One Assistant Director for Private Groups.

(4) One Assistant Director for Congressional Relations.

(5) One Assistant Director for Public Affairs and Information.

(6) One Assistant Director for Inspection.

(7) One Assistant Director for Program Planning, Analysis, and Research.

(8) One Deputy Assistant Director for Program Planning, Analysis, and Research.

(9) Executive Adviser (Programs).

(10) Special Assistant to the Deputy Director.

(b) *Community Action Program.* (1) One Associate Director for Program Policy Development.

(2) One Deputy Associate Director for Program Policy Development.

(3) One Assistant for Program Development and Evaluation.

(4) One Associate Director for Field Operations.

(5) One Associate Director for Program Support.

(c) *Volunteers in Service to America Program.* (1) One Deputy Director.

(2) One Associate Director for Volunteers.

(3) One Associate Director for Project Evaluation.

(4) One Associate Director for Volunteer Assistance.

(d) *Job Corps.* (1) One Deputy Director.

(2) One Associate Director for Operations.

(3) One Associate Director for Programs.

§ 213.3375 **President's Council on Equal Opportunity.**

(a) Executive Secretary.

(b) Assistant Executive Secretary.

§ 213.3376 **Appalachian Regional Commission.**

(a) One Special Assistant to the Federal Cochairman and one Special Assistant to his Alternate.

(b) One Private Secretary to the Federal Cochairman and one Private Secretary to his Alternate.

§ 213.3377 **Equal Employment Opportunity Commission.**

(a) One Special Assistant to the Chairman.

(b) The Public Affairs Officer.

(c) The Chief, Congressional Liaison Staff.

(d) One Special Assistant and one Secretary to each Member of the Commission.

(e) Two Secretaries to the Chairman.

(f) One Secretary to the Special Assistant to the Chairman.

§ 213.3380 **Water Resources Council.**

(a) Director, Water Resources Council Staff.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,

Executive Assistant to the Commissioners.

[F.R. Doc. 65-13084; Filed Dec. 6, 1965; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-CE-141]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Detroit, Mich. (Detroit City Airport), control zone.

On December 9, 1965, the Madison Heights radio beacon will be decommissioned and concurrently therewith the Detroit City outer compass locator and outer marker will be commissioned as component parts of an instrument landing system to serve the Detroit City Airport. The Detroit City OM and LOM will be located at the existing site of the Madison Heights RBN. This amendment will not affect the airspace encompassed in the presently designated Detroit, Mich., control zone. However, the description of the present control zone must be changed to conform with the decommissioning and commissioning of these nav aids.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are not necessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as follows:

In § 71.171 (29 F.R. 17581) the Detroit, Mich. (Detroit City Airport), control zone is amended to read:

DETROIT, MICH.

Within a 5-mile radius of the Detroit City Airport (latitude 42°24'35" N., longitude 83°00'35" W.), within 2 miles each side of the Detroit City Airport ILS localizer NW course extending from the 5-mile radius zone to 6 miles NW of the approach end of the Detroit City Airport Runway 15; within 2 miles each side of the Windsor, Ontario, Canada, RR NW course, extending from the 5-mile radius zone to the United States/Canada border and within 2 miles each side of the Windsor, Ontario, Canada, VOR 320° radial extending from the 5-mile radius zone to the United States/Canada border. (Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on November 24, 1965.

DONALD S. KING,
Acting Director, Central Region.

[F.R. Doc. 65-13025; Filed, Dec. 6, 1965; 8:45 a.m.]

[Airspace Docket No. 65-80-44]

PART 73—SPECIAL USE AIRSPACE

Revocation and Alteration of Restricted Areas; Correction

On November 3, 1965, Federal Register Document 65-11766 was published in the FEDERAL REGISTER (30 F.R. 13903) to be effective 0001 e.s.t., January 6, 1966. This document contained amendments to Part 73 of the Federal Aviation Regulations by revoking and altering restricted areas at Albemarle Sound, N.C.

The boundary description of R-5302, Albemarle Sound, N.C., should have included the phrase "to point of beginning." Also the name "Albemarle" was misspelled in each place in the document where it appears. Accordingly, action is taken herein to make these corrections.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and the effective date of the final rule as initially adopted is retained.

In consideration of the foregoing, effective immediately, Federal Register Document 65-11766 is altered as follows:

1. In Item 1, delete the period at the end of the description of the boundaries of R-5302 and add ", to point of beginning."

2. In each place where the name "Albemarle" appears, delete and substitute the name "Albemarle".

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on November 29, 1965.

CLIFFORD P. BURTON,
Acting Director, Air Traffic Service.

[F.R. Doc. 65-13026; Filed, Dec. 6, 1965; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 6998; Amdt. 454]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following low or medium frequency range procedures prescribed in § 97.11(a) to read:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Chena Int.	FI LFR	Direct	2500	T-dn*	300-1	300-1	300-1
Wolf Int.	FI LFR	Direct	3000	C-dn*	500-1	500-1	500-1½
For RBN	FI LFR	Direct	4000	S-dn	NA	NA	NA
FAI VOR	FI LFR	Direct	4000	A-dn	800-2	800-2	800-2

Radar available.

Procedure turn S side of crs, 090° Outbnd, 240° Inbnd, 2400' within 10 miles. Nonstandard to avoid high terrain N of final approach crs.

Minimum altitude over facility on final approach crs, 1500'.

Crs and distance, facility to airport, 240°—2.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles from FI LFR, turn left, climb to 2400' on E crs, 090° to Chena Int.

*CAUTION: All maneuvering to be S and E of airport.

NOTE: Prior arrangement for landing required for civil aircraft not on official business.

MSA within 25 miles of facility: NE, 6000'; SE, 5000'; SW, 5000'; NW, 5200'.

City, Fairbanks; State, Alaska; Airport name, Waluwright AAF; Elev., 448'; Fac. Class., SBRAZ; Ident., FI; Procedure No. 1, Amdt. 1; Eff. date, 4 Dec. 65; Sup. Amdt. No. Orig.; Dated, 3 Mar. 62

2. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bowie Int.	LOM	Direct	2000	T-dn	300-1	300-1	300-1½
Baltimore VOR	LOM	Direct	2000	C-dn	500-1	500-1	500-1½
Dayton Int.	LOM	Direct	2000	S-dn-10	400-1	400-1	400-1
Clarksville Int.	LOM (final)	Direct	1400	A-dn	800-2	800-2	800-2

Radar available.

Procedure turn S side of crs, 282° Outbnd, 102° Inbnd, 2000' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over facility on final approach crs, 1400'.

Crs and distance, facility to airport, 102°—3.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing BA LOM, climb to 2000' on 102° crs from LOM within 10 miles, proceed to Bodkin Int, hold E, 1-minute left turns.

CAUTION: 340' tower, 2.2 miles S of airport.

MSA within 25 miles of facility: 090°-270°—2100'; 270°-090°—2400'.

City, Baltimore; State, Md.; Airport name, Friendship International; Elev., 146'; Fac. Class., LOM; Ident., BA; Procedure No. 1, Amdt. 11; Eff. date, 4 Dec. 65; Sup. Amdt. No. 10; Dated, 10 July 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Nashville Int.	LOM	Direct	2900	T-dn	300-1	300-1	200-1/2
EOS VOR	LOM	Direct	3000	C-d	400-1	500-1	500-1 1/2
Granby Int.	LOM	Direct	2700	C-n	400-1 1/2	500-1 1/2	500-1 1/2
				S-dn-13	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 311° Outbnd, 131° Inbnd, 2800' within 10 miles.
Minimum altitude over facility on final approach, 2100'.
Crs and distance, facility to airport, 131°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, climb to 2800' on 131° crs, proceed to Granby Int or, when directed by ATC, make left turn, climbing to 2900' and proceed to LOM.
NOTE: Approach from holding pattern not authorized. Procedure turn required.
CAUTION: 2049' tower, 11 miles WNW of airport.
MSA within 25 miles of facility: 000°-090°—2400'; 090°-180°—3100'; 180°-270°—3000'; 270°-360°—3100'.

City, Joplin; State, Mo.; Airport name, Joplin Municipal; Elev., 980'; Fac. Class., LOM; Ident., JL; Procedure No. 1, Amdt. 11; Eff. date, 4 Dec. 65; Sup. Amdt. No. 10; Dated, 27 June 64.

PROCEDURE CANCELED, EFFECTIVE 4 DEC. 1965, OR UPON DECOMMISSIONING OF MIA RBN.

City, Miami; State, Fla.; Airport name, Opa Locks; Elev., 9'; Fac. Class., SABH; Ident., MIA; Procedure No. 1, Amdt. 4; Eff. date, 28 Sept. 63; Sup. Amdt. No. 3; Dated, 29 June 63.

PROCEDURE CANCELED, EFFECTIVE 4 DEC. 1965, OR UPON DECOMMISSIONING OF MIA RBN.

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9'; Fac. Class., SABH; Ident., MIA; Procedure No. 2, Amdt. 5; Eff. date, 11 Apr. 64; Sup. Amdt. No. 4; Dated, 9 Feb. 63.

PROCEDURE CANCELED, EFFECTIVE 9 DEC. 65, OR UPON DECOMMISSIONING OF NEW BERN RBN.

City, New Bern; State, N.C.; Airport name, Simmons-Nott; Elev., 18'; Fac. Class., BMH; Ident., EWN; Procedure No. 1, Amdt. 4; Eff. date, 13 Mar. 65; Sup. Amdt. No. 3; Dated, 16 Nov. 63.

Martie Int.	SPW RBN	Direct	3000	T-dn*	300-1	300-1	NA
Every Int.	SPW RBN	Direct	3000	C-d	1000-1	1000-1	NA
				C-n	1000-1 1/2	1000-1 1/2	NA
				A-dn	NA	NA	NA

Procedure turn E side of crs, 183° Outbnd, 003° Inbnd, 3000' within 10 miles.
Minimum altitude over facility on final approach crs, 2300'.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of SPW RBN, make left-climbing turn to 3000', return to SPW RBN, hold S on 183° bearing from SPW RBN.
*400-1 required for eastbound traffic taking off on Runways 4 and 11, due to 1729' tower, 1.7 miles E.
§Night takeoffs and landings not authorized on Runways 17/35 and 4/22.
MSA within 25 miles of facility: 000°-090°—2900'.

City, Spencer; State, Iowa; Airport name, Spencer Municipal; Elev., 1335'; Fac. Class., MHW; Ident., SPW; Procedure No. 1, Amdt. 1; Eff. date, 4 Dec. 65; Sup. Amdt. No. 1; Dated, 25 Sept. 65.

Dover Int.	LOM	Direct	3000	T-dn	300-1	300-1	200-1/2
TOP VOR	LOM	Direct	2800	C-dn	600-1	600-1	600-1 1/2
				S-dn-13	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
The following minimums apply for aircraft equipped with VOR after passing Topeka Int:							
				S-dn-13	400-1	400-1	400-1

Radar available.
Procedure turn N side of crs, 306° Outbnd, 126° Inbnd, 2500' within 10 miles of TOP RBN. Nonstandard due traffic.
Minimum altitude over TOP RBN on final approach crs, 2100'.
Crs and distance, TOP RBN to airport, 126°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing TOP RBN, climb to 2600' on 126° crs within 15 miles or, when directed by ATC, (1) turn left, climbing to 2600', proceed to TOP VOR or; (2) turn left, climbing to 2600' and return to TOP LOM.
NOTE: Approach from holding pattern at TOP LOM not authorized. Procedure turn required.
Other change: Deletes radar advisory notes.
MSA within 25 miles of facility: 000°-090°—2400'; 090°-180°—2600'; 180°-270°—3500'; 270°-360°—2700'.

City, Topeka; State, Kans.; Airport name, Phillip Billard Municipal; Elev., 880'; Fac. Class., MHW; Ident., TOP; Procedure No. 1, Amdt. 18; Eff. date, 4 Dec. 65; Sup. Amdt. No. 17; Dated, 30 Mar. 64.

3. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 4 DEC. 1965.

City, Hilo; State, Hawaii; Airport name, General Lyman; Elev., 34'; Fac. Class., BVOR; Ident., ITO; Procedure No. 1, Amdt. 9; Eff. date, 14 Nov. 64; Sup. Amdt. No. 8; Dated, 6 Apr. 63.

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less 65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
OE LFR.....	OME VOR.....	Direct.....	2100	T-dn..... C-dn..... S-dn-27*..... A-dn.....	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1½ 500-1½ 400-1 800-2

Procedure turn S side of crs, 090° Outbnd, 270° Inbnd, 1600' within 10 miles.
Minimum altitude over facility on final approach crs, 1100'.
Crs and distance, facility to airport, 270°—4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing OME VOR, turn left, climb to 2100' on R 128°, OME VOR within 15 miles.
CAUTION: High terrain to 1200' beyond 3 miles N. Radio tower, 284'—3.3 miles ESE of airport.
#400-1½ authorized, except for 4-engine turbojet aircraft, with operative SALS.
*Descent below 650' not authorized until past OE LFR. If OE LFR not identified, ceiling minimums become 600'.
MSA within 25 miles of facility: 000°-090°—3300'; 090°-180°—1100'; 180°-270°—2000'; 270°-360°—4000'.
City, Nome; State, Alaska; Airport name, Nome FAA; Elev., 37'; Fac. Class., H-BVOR; Ident., OME; Procedure No. 1, Amdt. 4; Eff. date, 4 Dec. 65; Sup. Amdt. No. 3; Dated, 16 Oct. 65

SSM RBN.....	SSM VOR.....	Direct.....	2300	T-dn..... C-dn..... S-dn-32*..... A-dn.....	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-1½ 500-1½ 500-1 800-2
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Radar available.
Procedure turn E side SE crs, 157° Outbnd, 337° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 2000'.
Crs and distance, facility to airport, 337°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing SSM VOR, climb to 2500' on crs of 337° and return to SSM, hold SE, 337° Inbnd right turns, or as directed by ATC, climb to 2500' on crs, 337° and proceed direct to FSP VOR.
NOTES: (1) Runway lights Runways 14 and 32 only. (2) When authorized by ATC, DME may be used via 6-mile DME Arc at 2300' altitude between SSM VOR R 030° CW to R 270° to position aircraft for straight-in approach with the elimination of the procedure turn.
*Reduction below 1 mile not authorized for nonstandard sequence flashers for Runway 32.
MSA within 25 miles of facility: 000°-090°—2900'; 090°-180°—2900'; 180°-270°—2300'; 270°-360°—2000'.
City, Sault Ste. Marie; State, Mich.; Airport name, Sault Ste. Marie Municipal; Elev., 722'; Fac. Class., BVORTAC; Ident., SSM; Procedure No. 1, Amdt. 6; Eff. date, 4 Dec. 65; Sup. Amdt. No. 5; Dated, 11 Sept. 65

FSD RBN.....	FSD VOR.....	Direct.....	2700	T-dn..... C-dn..... S-dn-15*..... A-dn.....	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	*200-1½ 500-1½ 500-1 800-2
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Procedure turn W side of crs, 327° Outbnd, 147° Inbnd, 2700' within 10 miles.
Minimum altitude over facility on final approach crs, 2500'.
Crs and distance, facility to airport, 147°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles, after passing FSD VOR, climb to 3000' on R 061° within 20 miles.
NOTE: When authorized by ATC, DME may be used to position aircraft for straight-in approach at 2700' between R 270°, clockwise to R 050° via 6-mile DME Arc with the elimination of procedure turn.
*300-1 required for takeoff on Runway 15.
#Reduction not authorized.
MSA within 25 miles of facility: 000°-180°—3800'; 180°-270°—2900'; 270°-360°—3100'.
City, Sioux Falls; State, S. Dak.; Airport name, Joe Foss Field; Elev., 1428'; Fac. Class., BVORTAC; Ident., FSD; Procedure No. 1, Amdt. 4; Eff. date, 4 Dec. 65; Sup. Amdt. No. 3; Dated, 20 June 64

				T-dn..... C-dn..... S-dn-22*..... A-dn.....	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-1½ 500-1½ 500-1 800-2
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Radar available.
Procedure turn N side of crs, 031° Outbnd, 211° Inbnd, 2600' within 10 miles.
Minimum altitude over facility on final approach crs, 2300'.
Crs and distance, facility to airport, 211°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing TOP VOR, climb to 2600' on R 166° within 20 miles or, when directed by ATC, turn left, climb to 2600', and return to TOP VOR.
Other change: Delete radar advisory notes.
#Reduction not authorized.
MSA within 25 miles of facility: 000°-090°—2400'; 090°-180°—2600'; 180°-270°—3500'; 270°-360°—2700'.
City, Topeka; State, Kans.; Airport name, Phillip Billard Municipal; Elev., 880'; Fac. Class., BVORTAC; Ident., TOP; Procedure No. 1, Amdt. 8; Eff. date, 4 Dec. 65; Sup. Amdt. No. 7; Dated, 20 Mar. 65

Gleed Int.....	YKM VOR.....	Direct.....	4400	T-dn%#..... C-dn..... A-dn.....	500-1 800-2 900-2	500-1 800-2 900-2	500-1 800-2 900-2
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Procedure turn S side of crs, 108° Outbnd, 288° Inbnd, 4400' within 10 miles. Nonstandard due to terrain.
Final approach from holding pattern at YKM VOR not authorized, procedure turn required.
Minimum altitude over facility on final approach crs, 3000'.
Crs and distance, facility to airport, 244°—3.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing YKM VOR, make a right-climbing turn and return to VOR, climbing to 4400' on R 108° within 15 miles. All turns S side, R 108°.
CAUTION: High terrain extends from NE to NW of YKM VOR.
#Takeoff minimums Runways 4/22 and 16/34: 800-2 night.
%Takeoffs all runways: Unless otherwise directed by ATC, the following departure procedure is recommended to insure adequate terrain and obstruction clearance: Climb on R 284°, YKM VOR within 6 miles of YKM VOR to cross YKM VOR at or above, eastbound, V-4, 2000'; Westbound, V-4/4S, 4500'; Southbound, V-25/25E, 2000'; Northbound, V-25, 4500'.
*Circling S of the airport not authorized 110°, clockwise through 205° from airport location point. Terrain and obstructions within this area and within 1.7 miles to 2185'.
MSA within 25 miles of facility: 000°-090°—5300'; 090°-180°—4100'; 180°-270°—6800'; 270°-360°—6200'.
City, Yakima; State, Wash.; Airport name, Yakima Municipal; Elev., 1082'; Fac. Class., H-BVOR; Ident., YKM; Procedure No. 1, Amdt. 6; Eff. date, 4 Dec. 65; Sup. Amdt. No. 5; Dated, 26 Dec. 64

4. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bowie Int.	BAL VOR	Direct	2000	T-dn	300-1	300-1	200-1½
				C-dn	500-1	500-1	500-1½
				S-dn-10°	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radars available.

Procedure turn S side of crs, 284° Outbnd, 104° Inbnd, 2000' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over facility on final approach crs, 546', maintain 1400' until passing BAL LOM.

Crs and distance, breakoff point to approach end of runway, 102°—0.9 miles.

Crs and distance, LOM to airport, 102°—3.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing BAL VOR, climb to 2000' on R 105°, BAL VOR, proceed to Bodkin Int, hold E, 1-minute left turns.

CAUTION: 340' tower, 2.2 miles S of airport.

*400-½ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. 400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS.

MSA within 25 miles of facility: 000°-090°—2400'; 090°-360°—2100'.

City, Baltimore; State, Md.; Airport name, Friendship International; Elev., 146'; Fac. Class., BVORTAC; Ident., BAL; Procedure No. TerVOR-10, Amdt. 7; Eff. date, 4 Dec. 65; Sup. Amdt. No. 6; Dated, 15 May 66

Peole Int.	EAR VOR	Direct	3300	T-dn	300-1	300-1	200-½
				Minimums when control zone effective:			
				C-dn %	600-1	600-1	600-1½
				S-dn-18°	600-1	600-1	600-1
				A-dn %	800-2	800-2	800-2
				Following minimums apply if Kearney fan marker identified:			
				C-dn %	500-1	500-1	500-1½
				S-dn-18°	400-1	400-1	400-1
				Minimums when control zone not effective:			
				C-dn %	700-1½	700-1½	700-2
				S-dn-18°	700-1	700-1	700-1
				A-dn	NA	NA	NA
				Following minimums apply if Kearney fan marker identified:			
				C-dn %	600-1	600-1	600-1½
				S-dn-18°	600-1	500-1	500-1

Procedure turn W side of crs, 350° Outbnd, 170° Inbnd, 3300' within 10 miles.

Minimum altitude over facility on final approach crs, 2830'.

Crs and distance, Kearney FM to airport, 170°—3.8 miles; breakoff point to Runway 18, 177°—0.86 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing EAR VOR or 4.4 miles after passing Kearney FM, make left turn, climbing to 3300' on R 350° within 10 miles, make left turn and return to EAR VOR.

NOTE: Altimeter setting from GRI FSS when control zone not effective.

CAUTION: 3240' tower, 7 miles SE of airport.

*Lights installed on Runways 18/36 only.

†These minimums apply at all times for air carriers with approved weather reporting services.

MSA within 25 miles of facility: 000°-180°—4200'; 180°-360°—3700'.

City, Kearney; State, Nebr.; Airport name, Kearney Municipal; Elev., 2130'; Fac. Class., T-BVOR; Ident., EAR; Procedure No. TerVOR-18, Amdt. 1; Eff. date, 4 Dec. 65; Sup. Amdt. No. Orig.; Dated, 4 Mar. 66

5. By amending the following very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
10-mile DME Fix, ITO VORTAC, R 323°	7-mile DME Fix, ITO VORTAC, R 323°	Direct.....	2500	T-dn*.....	300-1	300-1	200-1½
7-mile DME Fix, R 323°	1-mile DME Fix, R 323° (final).....	Direct.....	600	C-dn.....	600-1	600-1	600-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn not authorized.
Straight-in to facility from 10-mile DME Fix, R 323° only.
Minimum altitude over 7-mile DME Fix, 2500'; over 1-mile DME Fix, R 323°—600', on final approach crs.
Crs and distance, facility to airport, 259°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1-mile DME Fix, R 323°, turn left and climb to 3000' on R 353° within 20 miles.
NOTE: DME required for execution of this approach.
CAUTION: Gradually rising terrain westerly quadrants.
*400-1 required Runway 26 with right turn after takeoff.
MSA within 25 miles of facility: 030°-120°-1200'; 120°-210°-7000'; 210°-300°-15,800'; 300°-030°-8000'.
City, Hilo; State, Hawaii; Airport name, General Lyman Field; Elev., 34'; Fac. Class., H-BVORTAC; Ident., ITO; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 4 Dec. 65

10-miles DME Fix, R 080°, ITO VORTAC	5.9-miles DME Fix, R 080°, ITO VORTAC	Direct.....	1000	T-dn*.....	300-1	300-1	200-1½
Hibiscus Int.....	Bayview Int.....	Direct.....	1500	C-dn.....	600-1	600-1	600-1½
5.9-miles DME Fix, R 080° (Bayview Int).....	ITO VORTAC (final).....	Direct.....	400	S-dn-259°.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 080° Outbnd, 200° Inbnd, 1500' within 10 miles.
Nonstandard due ATC.
When authorized by ATC, DME may be used within 15 miles between R 323°, clockwise to 080° at 1500' to position aircraft for final approach and elimination of procedure turn.
Minimum altitude over facility on final approach crs, 400'.
Crs and distance, facility to airport, 259°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1 mile (1-mile DME Fix, R 259°) after passing ITO VORTAC, turn right and climb to 3000' on R 353° within 20 miles.
CAUTION: Gradually rising terrain westerly quadrants.
*400-1 required Runway 26 with right turn after takeoff.
MSA within 25 miles of facility: 030°-120°-1200'; 120°-210°-7000'; 210°-300°-15,800'; 300°-030°-8000'.
City, Hilo; State, Hawaii; Airport name, General Lyman Field; Elev., 34'; Fac. Class., H-BVORTAC; Ident., ITO; Procedure No. VOR/DME No. 2, Amdt. Orig.; Eff. date, 4 Dec. 65

6. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bowle Int.....	LOM.....	Direct.....	2000	T-dn***.....	300-1	300-1	200-1½
Baltimore VOR.....	LOM.....	Direct.....	2000	C-dn.....	500-1	500-1	800-1½
Dayton Int.....	LOM.....	Direct.....	2000	S-dn-10°**.....	*200-1½	*200-1½	*200-1½
Clarksville Int.....	LOM (final).....	Direct.....	1500	A-dn.....	600-2	600-2	600-2

Radar available.
Procedure turn S side of crs, 282° Outbnd, 102° Inbnd, 2000' within 10 miles. Beyond 10 miles not authorized.
Minimum altitude at glide slope interception Inbnd, 1500'.
Altitude of glide slope and distance to approach end of runway at OM, 1423'—3.8 miles; at MM, 380'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, climb to 2000' on back crs of ILS, proceed to Bodkin Int, hold E R 105°, 1-minute left turns.
CAUTION NOTE: Tower, 340'—2.2 miles S of field.
GLIDE SLOPE NOTE: Glide slope not usable Inbnd from middle marker; satisfactory for authorized minimums.
**RVR 2400'. Descent below 340' not authorized unless approach lights are visible.
***RVR 2400' authorized Runway 10.
*400-1½ required when glide slope inoperative. 400-1½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
City, Baltimore; State, Md.; Airport name, Friendship International; Elev., 146'; Fac. Class., ILS; Ident., I-BAL; Procedure No. ILS-10, Amdt. 15; Eff. date, 4 Dec. 65; Sup. Amdt. No. 14; Dated, 15 May 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Gordonsville VOR.....	AOM RBN.....	Direct.....	3400	T-dn%.....	300-1	300-1	200-1½
Rochelle Int.....	AOM RBN.....	Direct.....	3400	C-d.....	500-1	500-1	500-1½
Rockfish Int.....	AOM RBN.....	Direct.....	3600	C-n.....	500-1½	500-1½	500-2
Midway Int.....	AOM RBN.....	Direct.....	3400	S-dn-3.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn E side of crs, 207° Outbnd, 027° Inbnd, 3400' within 10 miles of AOM RBN.
Minimum altitude over AOM RBN on final approach crs, 2300' over OM, 1334'.
Crs and distance AOM RBN to airport 027°—7.9 miles; OM to airport, 027°—3.9 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing AOM RBN, or 2.9 miles after passing the OM, climb Outbnd on localizer back crs to Midway Int at 3000'. Hold SE, GVE R 330°, 1-minute right turns.
CAUTION: 1164' obstruction, 2.5 miles NE of Runway 21.
% Runway 3 Takeoffs: Make immediate left-climbing 300° turn to intercept the localizer crs at 1000' or above.
Proceed Outbnd on the localizer back crs to cross Midway Int at 3000' or above. Proceed to Gordonsville VORTAC via the GVE R 330°, at 3500'. DME equipped aircraft proceed via the GVE 19-mile CW ARC to V16 at 3000'.
% Runway 21 Takeoffs: Make right-climbing 200° turn to intercept localizer back crs on 047° heading, cross Midway Int at 3000' or above. Proceed to Gordonsville VORTAC via the GVE R 330°, at 3500'. DME equipped aircraft proceed via the GVE 19-mile CW ARC to V16 at 3000'.

City, Charlottesville; State, Va.; Airport name, Charlottesville-Albemarle; Elev., 634'; Fac. Class., ILS; Ident., I-CHO; Procedure No. ILS-3, Amdt. 2; Eff. date, 4 Dec. 65; Sup. Amdt. No. 1; Dated, 31 July 65

DAL VOR.....	Fair Park Int.....	Direct.....	2000	T-dn.....	300-1	300-1	200-1½
Trinity Fork Int.....	Fair Park Int.....	Direct.....	2000	C-dn.....	400-1	500-1	500-1½
Duncannon RBN.....	Fair Park Int.....	Direct.....	2000	S-dn-31R%.....	400-1	400-1	400-1
Fair Park Int.....	Ross Ave Int (final).....	Direct.....	1500	A-dn.....	800-2	800-2	800-2

Radar available.
Procedure turn S side SE crs, 128° Outbnd, 308° Inbnd, 2000' within 10 miles of Ross Ave Int.
Altitude over Ross Ave Int, 1500'; over DDA RBN or Tank Fix, 1000'.
Crs and distance, Ross Ave Int to Runway 31R, 308°—3.2 miles; DDA RBN or Tank Fix, to Runway 31R, 308°—1.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing Ross Ave Int, climb to 2200' on NW crs, ILS within 20 miles or, when directed by ATC, turn right, proceed direct to DAL VOR climbing to 2000' or, when under positive radar contact, climb to 2000' on crs, as directed by ATC within 20 miles.
CAUTION: 695' tank, 1.5 miles from approach end of Runway 31R.
*Descent below 1000' not authorized unless position over DDA RBN or Tank Fix determined.
%400-1½ authorized, except for 4-engine turbojet aircraft, with operative REIL or high-intensity runway lights.

City, Dallas; State, Tex.; Airport name, Dallas Love Field; Elev., 485'; Fac. Class., ILS; Ident., I-DAL; Procedure No. ILS-31R (back crs), Amdt. 12; Eff. date, 4 Dec. 65; Sup. Amdt. No. 11; Dated, 10 Apr. 65

QG LFR.....	DE RBN.....	Direct.....	2300	T-dn*.....	500-1	500-1	500-1
QG VOR.....	DE RBN.....	Direct.....	2300	C-dn.....	600-1	600-1	600-1½
SVM VOR.....	DE RBN.....	Direct.....	2700	S-dn-13#.....	600-1	600-1	600-1
Troy Int.....	DE RBN.....	Direct.....	2700	A-dn.....	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs, 326° Outbnd, 146° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 2000'.
Crs and distance, facility to airport, 146°—5.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing DE RBN, climb to 2000' and proceed direct to QG LFR or, when directed by ATC, (1) climb to 2000' and proceed direct to QG VOR or (2) make left-climbing turn to 2700' and proceed to Oak Int. via QG, R 223°.
NOTES: (1) No glide slope. (2) No approach lights.
AIR CARRIER NOTE: Sliding scale not authorized.
*300-1 authorized on Runway 33L only.
#Reduction below 1 mile not authorized for REIL.
MSA within 25 miles of facility: 000°-090°—1800'; 090°-180°—2300'; 180°-270°—2800'; 270°-360°—2600'.

City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 528'; Fac. Class., ILS; Ident., I-DET; Procedure No. ILS-15, Amdt. Orig.; Eff. date, 4 Dec. 65, or upon commissioning of I-DET ILS

Granby Int.....	LOM.....	Direct.....	2700	T-dn.....	300-1	300-1	200-1½
Nashville Int.....	LOM.....	Direct.....	2900	C-d.....	400-1	500-1	500-1½
EOS VOR.....	LOM.....	Direct.....	3000	C-n.....	400-1½	500-1½	500-1½
				S-dn-13@.....	300-¾	300-¾	300-¾
				A-dn.....	600-2	600-2	600-2

Procedure turn N side NW crs, 311° Outbnd, 131° Inbnd, 2900' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2300'.
Altitude of glide slope and distance to approach end of runway at LOM, 2132'—3.8 miles; at LMM, 1158'—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing JL LOM, climb to 2900' on SE crs, ILS, proceed to Granby Int or, when directed by ATC, make left turn, climbing to 2900' and proceed to LOM.
NOTE: Approach from holding pattern not authorized. Procedure turn required.
CAUTION: 2049' tower, 11 miles WNW of airport.
@400-1 required when glide slope not utilized. Reduction not authorized.

City, Joplin; State, Mo.; Airport name, Joplin Municipal; Elev., 980'; Fac. Class., ILS; Ident., I-JLN; Procedure No. ILS-13, Amdt. 10; Eff. date, 4 Dec. 65; Sup. Amdt. No. 9; Dated, 16 May 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Granby Int.	Webb City Int. (final)	Direct	2700	T-dn	300-1	300-1	200-1½
JL LOM	Webb City Int.	Direct	2800	C-dn	500-1½	500-1½	500-1½
				S-dn-31@	500-1½	500-1½	500-1½
				A-dn	800-2	800-2	800-2

Procedure turn E side of SE crs, 131° Outbnd, 311° Inbnd, 2800' within 10 miles of Webb City Int.
 No glide slope. Minimum altitude over Webb City Int on final approach crs, 2700'.
 Crs and distance, Webb City Int to airport, 311°—6.9 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing Webb City Int, climb to 2500' on the NW crs of JLN localizer to JL LOM.
 NOTE: Procedure authorized only when aircraft equipped to receive ILS and VOR simultaneously.
 CAUTION: 2040' tower, 11 miles WNW of airport.
 @Reduction not authorized.

City, Joplin; State, Mo.; Airport name, Joplin Municipal; Elev., 980'; Fac. Class., ILS; Ident., I-JLN; Procedure No. ILS-31, Amdt. 9; Eff. date, 4 Dec. 65; Sup. Amdt. No. 8; Dated, 27 June 64

Pendleton VOR	LOM	Direct	4600	T-dn	300-1	300-1	200-1½
Pilot Rock Int.	LOM	Direct	4800	C-dn	500-1	500-1	500-1½
Mission Int.	LOM	Direct	4600	S-dn-25R*	200-1½	200-1½	200-1½
Gardena Int.	LOM	Direct	4600	A-dn	600-2	600-2	600-2

Procedure turn N side of crs, 070° Outbnd, 250° Inbnd, 4600' within 10 miles.
 (Final approach from holding pattern at PD LOM not authorized, procedure turn required.)
 Minimum altitude at glide slope interception Inbnd, 3700'.
 Altitude of glide slope and distance to approach end of runway at OM, 2750'—4.1 miles; at MM, 1725'—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 4000' direct to PDT VOR, continue climb on R 250', within 15 miles or, when directed by ATC, climb to 4000' on crs, 250° Outbnd, 070° Inbnd, within 15 miles of DT LMM.
 *Takeoffs all runways: Unless otherwise directed by ATC, the following departure procedure is recommended to insure adequate terrain and obstruction clearance: Climb direct to PDT VOR, thence continue climb on R 234°, PDT VOR within 15 miles so as to cross PDT VOR at or above: Southeastbound, V-4, 2600'; southeastbound, V-298, 2600'; southwestbound, V-251, 2600'.
 *Procedure not authorized with glide slope inoperative.

City, Pendleton; State, Oreg.; Airport name, Pendleton Municipal; Elev., 1460'; Fac. Class., ILS; Ident., I-PDT; Procedure No. ILS-25R, Amdt. 9; Eff. date, 4 Dec. 65; Sup. Amdt. No. 8; Dated, 17 July 65

Sioux Falls RRn	LOM	Direct	2700	T-dn*	300-1	300-1	200-1½
Sioux Falls VOR	LOM	Direct	2700	C-dn	500-1	500-1	500-1½
Bestland Int.	LOM	Direct	2700	S-dn-34#	200-1½	200-1½	200-1½
Lennox Int.	LOM	Direct	2700	A-dn	600-2	600-2	600-2
Russell Int.	LOM	Direct	2700				

Procedure turn S side of crs, 206° Outbnd, 026° Inbnd, 2700' within 10 miles.
 Minimum altitude at glide slope interception Inbnd, 2600'.
 Altitude of glide slope and distance to approach end of runway at OM, 2526'—3.8 miles; at MM, 1623'—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2700' on NE crs of ILS within 10 miles.
 NOTE: When authorized by ATC, FSD DME may be used to position aircraft for straight-in approach at 3000' between R 160°, clockwise to R 300° and 3400' between R 143°, clockwise to R 160°, via 14-mile DME Arc with the elimination of procedure turn.
 *300-1 required for takeoff Runway 15.
 #300-1 required when glide slope not utilized.
 #When aircraft equipped to receive ILS and VOR simultaneously and Marie Int received, following minimums apply for all aircraft except 4-engine turbojet. 400-¾ with high-intensity runway lights; 400-¾ with ALS in operation.

City, Sioux Falls; State, S. Dak.; Airport name, Joe Foss Field; Elev., 1428'; Fac. Class., ILS; Ident., I-FSD; Procedure No. ILS-3, Amdt. 11; Eff. date, 4 Dec. 65; Sup. Amdt. No. 10; Dated, 5 Dec. 64

Dover Int.	LOM	Direct	3000	T-dn	300-1	300-1	200-1½
TOP VOR	LOM	Direct	2500	C-dn	600-1	600-1	600-1½
				S-dn-13@	300-1½	300-1½	300-1½
				A-dn	600-2	600-2	600-2

Radar available.
 Procedure turn N side of crs, 306° Outbnd, 126° Inbnd, 2500' within 10 miles.
 Minimum altitude at glide slope interception Inbnd, 2100'.
 Altitude of glide slope and distance to approach end of runway at LOM, 2030'—3.9 miles; at MM, 1078'—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing TOP LOM, climb to 2600' on SE crs of ILS within 15 miles or, when directed by ATC, turn left, climbing to 2600', proceed to TOP VOR or turn left, climbing to 2600' and return to TOP LOM.
 NOTE: (1) Approach from holding pattern at TOP LOM not authorized. Procedure turn required. (2) No reduction to landing visibility minimums authorized below ¾ mile.
 Other change: Deletes radar advisory notes.
 @400-1 required when glide slope not utilized. No reduction authorized.

City, Topeka; State, Kans.; Airport name, Phillip Billard Municipal; Elev., 880'; Fac. Class., ILS; Ident., I-TOP; Procedure No. ILS-13, Amdt. 19; Eff. date, 4 Dec. 65; Sup. Amdt. No. 18; Dated, 20 Mar. 65

TOP VOR	Powerhouse Int.	Direct	2600	T-dn	300-1	300-1	200-1½
TOP LOM	Powerhouse Int.	Direct	2600	C-dn	600-1	600-1	600-1½
				S-dn-31@	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Radar available.
 Procedure turn E side of crs, 126° Outbnd, 306° Inbnd, 2600' within 10 miles.
 Minimum altitude over Powerhouse Int on final approach crs, 1700'.
 Crs and distance, Powerhouse Int to airport, 306°—2.9 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.9 miles after passing Powerhouse Int, climb to 2500' on NW crs, ILS within 15 miles or, when directed by ATC, turn right, proceed direct to TOP VOR, climbing to 2600'.
 NOTE: Approach from holding pattern at Powerhouse Int not authorized. Procedure turn required.
 Other changes: Deletes radar advisory notes. Deletes takeoff minimums reduction note. Deletes note restricting procedure authorization to ILS and VOR equipped aircraft.
 @Reduction not authorized.

City, Topeka; State, Kans.; Airport name, Phillip Billard Municipal; Elev., 880'; Fac. Class., ILS; Ident., I-TOP; Procedure No. ILS-31 (back crs), Amdt. 9; Eff. date, 4 Dec. 65; Sup. Amdt. No. 8; Dated, 20 Mar. 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
YKM VOR.....	YK LOM.....	Direct.....	4400	T-dn 7.8.....	300-1	300-1	300-1½
Gleed Int.....	YK LOM.....	Direct.....	4400	C-dn.....	800-2	800-2	800-2
				S-dn-27.....	300-1½	300-1½	300-1½
				A-dn.....	900-2	900-2	900-2

Procedure turn S side of crs, 089° Outbnd, 269° Inbnd, 4400' within 10 miles. (Final approach from holding pattern at YK LOM not authorized, procedure turn required.)
 Minimum Altitude at glide slope interception Inbnd, 4000'.
 Altitude of glide slope and distance to approach end of runway at OM, 3395'—6.9 miles; at MM, 1315'—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make right-climbing turn and climb to 4400' on E crs ILS within 10 miles of LOM.

NOTE: All components of the ILS and related airborne equipment must be operational and used when executing this approach, except that either the ALS or the condenser discharge flashers or combination thereof must be operational for the entire length of the ALS system.

CAUTION: High terrain extends from NE to NW of YKM VOR.

#Takeoff minimums Runways 4/22 and 16/34: 500-1 day, 800-2 night.

%Takeoffs all runways: Unless otherwise directed by ATC, the following departure procedure is recommended to insure adequate terrain and obstruction clearance: Climb on R 284°, YKM VOR within 6 miles of YKM VOR to cross YKM VOR at or above, eastbound, V-4, 2000'; westbound, V-4/4S, 4500'; southbound, V-25/25E, 2000'; northbound, V-25, 4500'; northeastbound, V-44S, 3000'; southwestbound, V-44S, 5400'. All turns S side R 284°, YKM VOR.

*Circling S of the airport not authorized 110°, clockwise through 206° from airport location point. Terrain and obstructions within this area and within 1.7 miles to 2185'.
 City, Yakima; State, Wash.; Airport name, Yakima Municipal; Elev., 1082'; Fac. Class., ILS; Ident., I-YKM; Procedure No. ILS-27, Amdt. 12; Eff. date, 4 Dec. 65; Sup. Amdt. No. 11; Dated, 26 Dec. 64

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibility which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Within 20 miles of New Orleans Radar Site excepting quadrant 200°-230° bearing from Lakefront Airport.	Within 5 miles of New Orleans Lakefront Airport.	Direct.....	1500*	T-dn.....	300-1	300-1	200-½
Within 5 miles of New Orleans Lakefront Airport excepting quadrant 200°-230° bearing from Lakefront Airport.	New Orleans Lakefront Airport (final).	Direct.....	700	Surveillance approach			
				C-dn.....	700-1	700-1	700-1½
				A-dn.....	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at Radar Fix over airport, proceed to Opal Int via V-240, climbing to 2000', hold E of Opal at 2000'.

*Radar control must provide 3 miles lateral or 1000' vertical separation from the following obstructions:

Obstruction	MSL height (feet)	Location from radar site
Radio tower.....	1049	12 miles SE.
TV tower.....	1049	16 miles E.

City, New Orleans; State, La.; Airport name, New Orleans Lakefront; Elev., 10'; Fac. Class., and Ident., New Orleans Radar; Procedure No. 1, Amdt. Orig.; Eff. date, 4 Dec. 65

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348 (c), 1354 (a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on October 28, 1965.

C. W. WALKER,
 Acting Director, Flight Standards Service.

[F.R. Doc. 65-11634; Filed, Dec. 6, 1965; 8:45 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter V—Consumer and Marketing Service, Department of Agriculture

SUBCHAPTER B—EXPORT AND DOMESTIC CONSUMPTION PROGRAMS

[Amdt. 1]

PART 530—POULTRY AND POULTRY PRODUCTS

Subpart—Announcement PY-29, "Chicken Export Payment Program—GMX 73a"

The purpose of this amendment is to permit the wrapping of each bird in a sheet of film in lieu of inserting each bird in a bag, to permit the use of tapes in lieu of flat steel straps for closing and reinforcing the shipping containers, and to obtain additional information in offers.

Section 530.3 of this subpart is hereby amended to read as follows:

§ 530.3 Eligible chicken.

Export payments will be made on the exportation of certain classes of frozen, ready-to-cook U.S. Grade A chickens (i.e., broiler or fryer, roaster, hen or stewing chicken or fowl) with or without necks and with or without giblets. The live chickens shall have been produced in the United States and processed in plants operating under the Poultry Products Inspection Act and frozen in accordance with USDA requirements for product labeled as "fresh frozen," "quick frozen," or "frozen fresh," (7 CFR 81.50 (f) (1)). The chickens shall be packaged and packed in accordance with the requirements for Level B, Style 1, set forth in Federal Specification PPP-P-620a, dated Dec. 4, 1964, titled "Poultry, Chilled and Frozen, Ready-to-Cook (Eviscerated), Packaging and Packing of," and any amendments thereto in effect on the date of the contract, or as may be otherwise announced by USDA press release: *Provided, however*, That each chicken may be wrapped with a sheet of one of the three films specified in the Federal Specification to form a bag in lieu of inserting the bird in a bag: *And provided further*, That, in lieu of using flat steel straps for closing and reinforcing the shipping containers, the containers may be closed and reinforced by the use of complete bands of one-half inch or wider pressure sensitive adhesive filament reinforced tape conforming to Type IV., as set forth in Federal Specification PPP-T-97c, dated Oct. 30, 1958, titled "Tape; Pressure-Sensitive Adhesive, Filament Reinforced," and any amendments thereto in effect on the date of the contract, or as may be otherwise announced by USDA press release. For the purposes of this subpart "United States" means the 50 States and the District of Columbia.

Points 1 and 3 of the portion, *Information in offer*, of § 530.4 of this sub-

part are hereby deleted and the following substituted:

1. That offer is made subject to Announcement PY-29 and Amendment No. 1 thereof.

3. The offered export payment rate per net pound for chicken, as follows:

_____ pounds (insert class) [(plain) (printed)] [(bags) (sheets)] @ _____ cents per pound to Austria (with) (without) necks and (with) (without) giblets.

_____ pounds (insert class) [(plain) (printed)] [(bags) (sheets)] @ _____ cents per pound to Austria (with) (without) necks and (with) (without) giblets.

_____ pounds (insert class) [(plain) (printed)] [(bags) (sheets)] @ _____ cents per pound to Switzerland (with) (without) necks and (with) (without) giblets.

_____ pounds (insert class) [(plain) (printed)] [(bags) (sheets)] @ _____ cents per pound to Switzerland (with) (without) necks and (with) (without) giblets.

(The total tonnage in this item 3 must equal the tonnage shown in item 2. A country designated in the offer with respect to a particular quantity and class of chicken is the "applicable country specified in the contract" as that phrase is used in this subpart.)

This amendment shall be effective with respect to offers due December 13, 1965, and all subsequent offers.

Approved: December 3, 1965.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 65-13129; Filed, Dec. 6, 1965; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. F]

PART 206—SECURITIES OF MEMBER STATE BANKS

Form for Amendment to Registration Statement or Periodic Report of Bank

Effective December 1, 1965, the following is added:

§ 206.45 Form for amendment to registration statement or periodic report of bank (Form F-20).

FORM F-20

AMENDMENT TO REGISTRATION STATEMENT OR PERIODIC REPORT OF BANK

General Instructions

A. The form set forth hereinafter is not to be used as a blank form to be filled in but is intended solely as a guide in the preparation of an amendment to a previously filed registration statement or report. Attention should be given to the general requirements governing amendments, which are prescribed in § 206.4(u).

B. The amendment shall contain the number and caption of each item being amended and each such item shall be restated, as amended, in its entirety. Where a financial statement, or a note or schedule related thereto, is being amended, such statement, note, or schedule likewise shall be restated in its entirety.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

WASHINGTON, D.C., 20561

Amendment Number _____

to _____

on _____

Form F-_____

Pursuant to Section 12 or 13 of the Securities Exchange Act of 1934

(Exact name of bank as specified in charter)

(Address of principal office)

The undersigned bank hereby amends the following items, financial statements or exhibits, constituting part of the aforesaid statement or report, as set forth in the pages attached hereto:

(List all such items, financial statements, exhibits, or other portions amended.)

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this amendment to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of bank)

By _____
(Print name and title
of signing officer under
signature)

Date _____

¹ Indicate appropriate designation of statement or report being amended, such as "Registration Statement" or "Annual Report for year ended December 31, 19____."

² Indicate the number of the form on which the statement or report was filed, such as "Form F-1."

Dated at Washington, D.C., this 26th day of November 1965.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 65-13038; Filed, Dec. 6, 1965; 8:46 a.m.]

[Reg. F]

PART 206—SECURITIES OF MEMBER STATE BANKS

Proxy Solicitation by Bank Management

§ 206.102 Disclosure of loans to "insiders".

(a) The Board of Governors has recently been asked to clarify its position with respect to disclosure of loans to "insiders"—that is, officers, directors, and persons holding more than 10 percent of the bank's stock—in management proxy statements furnished in accordance with the requirements of §§ 206.5 and 206.51 (Form F-5). This interpretation is also applicable to disclosure of such transactions under comparable provisions relating to registration of bank securities (§ 206.41; Form F-1) under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78d).

(b) Item 7(f) of Form F-5 and Item 12 of Form F-1 in effect require a de-

scription of any material¹ interest of any insider or any of his "associates"² in any material transaction to which the bank was, or is to be, a party. These items contain a number of specific exemptive instructions—for example, no disclosure is required where the only interlock is that a director of a bank is a director and/or officer of another corporation that is a party to the transaction. Generally, these items require disclosure of loans to a corporate borrower only where insiders, individually or with members of their immediate families,³ own at least 10 percent of the borrower's outstanding stock.

(c) The Board does not regard loans and other extensions of credit by a registrant bank in the ordinary course of its business as "material" for the purposes of this part (and therefore required to be disclosed unless otherwise specifically exempted by the instructions in these items) if such loans (1) are made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other than insiders, (2) at no time aggregate more than 10 percent of the equity capital accounts of the bank or \$10 million, whichever is less, and (3) do not involve more than the normal risk of collectibility or present other unfavorable features.

(d) Item 7(e) of Form F-5 requires disclosure of indebtedness to the bank of each director or officer of the bank and each nominee for election as a director. An instruction to this item specifically excludes indebtedness resulting from transactions in the ordinary course of the bank's business. The effect of this instruction is to exempt the bank from reporting under item 7(e) normal extensions of credit to such persons, of types and amounts customarily made by the bank in the usual course of its

operations. However, even if disclosure of indebtedness is not required by item 7(e), consideration must be given to whether it must be reported in the light of the provisions of item 7(f), referred to above.

(e) It should also be noted that item 7(e) requires disclosure of any liability to the bank that appears to have arisen under section 16 of the Securities Exchange Act of 1934 (15 U.S.C. 78p) as a result of "insider" transactions in the bank's stock (or other equity security). (15 U.S.C. 78w. Interprets or applies 15 U.S.C. 78i and 78n)

Dated at Washington, D.C., this 29th day of November 1965.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 65-13039; Filed, Dec. 6, 1965;
8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission [Docket No. 8576o.]

PART 13—PROHIBITED TRADE PRACTICES

Revco D. S., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*; 13.15-235 *Producer status of dealer or seller*; 13.15-235(k) *Laboratory*; 13.15-235(m) *Manufacturer*; § 13.110 *Indorsements, approval and testimonials*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1400 *Dealer as manufacturer*; § 13.1465 *Laboratory status*; § 13.1530 *Producer status of dealer*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Revco D. S., Inc., et al., Cleveland, Ohio, Docket 8576, June 28, 1965]

In the Matter of Revco D. S., Inc., a Corporation; and Standard Drug Co., a Corporation, Doing Business as Revco Discount Drug Centers; and Bernard Shulman, Individually and as an Officer of Each of Said Corporations; and W. B. Doner and Co., a Corporation; and Charles F. Rosen, Individually and as an Officer of Said Corporation

Order requiring a discount drug store chain with retail stores in Michigan, Ohio, and West Virginia, to cease representing falsely in advertisements in newspapers, by radio and television broadcasts, or any other means, that their drugs, foods, cosmetics, and devices have been approved or endorsed by an independent research or testing organization engaged in determining the merits of such merchandise and that they own, operate, or control manufacturing or laboratory facilities.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That:

I

Respondents Revco D. S., Inc., a corporation, and its officers, and Standard Drug Co., a corporation, and its officers, doing business as Revco Discount Drug Centers, or under any other name, and Bernard Shulman, individually and as an officer of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of foods, drugs, cosmetics or devices, do forthwith cease and desist from:

A. Disseminating, or causing the dissemination of, any advertisement by means of the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which:

(1) Represents, through the use or display of any words, emblem, seal, symbol, certification, or otherwise, that merchandise has been approved or endorsed by an independent organization engaged in protecting the interests of consumers or in determining objectively the merits of such merchandise, provided that it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that such representation is truthful in every material respect.

(2) Represents, directly or by implication, that respondents, or any of them, own, operate, or control any manufacturing or laboratory facilities.

B. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations or misrepresentations prohibited in paragraph A above.

Respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

II

Respondent Charles F. Rosen and respondent's agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of foods, drugs, cosmetics or devices, do forthwith cease and desist from:

A. Disseminating, or causing the dissemination of, any advertisement by means of the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, through the use or display of any words, emblem, seal, symbol, certification, or otherwise, that merchandise has been approved or endorsed by an independent organization engaged in protecting the interests of con-

¹ "The term 'material', when used to qualify a requirement for furnishing of information as to any subject, limits the information required to those matters as to which an average prudent investor ought reasonably to be informed before buying or selling the security registered." (§ 206.2(n).)

² "The term 'associate', when used to indicate a relationship with any person, means (1) any corporation or organization (other than the bank or a majority-owned subsidiary of the bank) of which such person is an officer or partner or is, directly or indirectly, either alone or together with one or more members of his immediate family, the beneficial owner of 10 percent or more of any class of equity securities, (2) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as a trustee or in a similar fiduciary capacity, and (3) any relative or spouse of such person, or any relative of such spouse, who has the same home as such person or who is a director or officer of the bank or any of its parents or subsidiaries." (§ 206.2(d).)

³ "The term 'immediate family' includes a person's (1) spouse; (2) son, daughter, and descendant of either; (3) father, mother, and ancestor of either; (4) stepson and stepdaughter; and (5) stepfather and stepmother. For the purpose of determining whether any of the foregoing relationships exist, a legally adopted child shall be considered a child by blood." (§ 206.2(k).)

[Docket No. 8653]

PART 13—PROHIBITED TRADE PRACTICES

LaSalle Distributing Co., et al.

sumers or in determining objectively the merits of such merchandise, provided that it shall be a defense in any enforcement proceeding instituted hereunder for respondent to establish that such representation is truthful in every material respect.

B. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations or misrepresentations prohibited in paragraph A. above.

Respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist.

III

Respondent W. B. Doner & Co. and its officers, agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of foods, drugs, cosmetics, or devices, do forthwith cease and desist from:

A. Disseminating, or causing the dissemination of, any advertisement by means of the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, through the use or display of any words, emblem, seal, symbol, certification, or otherwise, that merchandise has been approved or endorsed by an independent organization engaged in protecting the interests of consumers or in determining objectively the merits of such merchandise, provided that it shall be a defense in any enforcement proceeding instituted hereunder for respondent to establish either that such representation is truthful in every material respect or that respondent neither knew nor had reason to know of the falsity of such representation.

B. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations or misrepresentations prohibited in paragraph A. above.

Respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist.

It is further ordered, That the charges contained in paragraphs 7, 9, 12, and 13 of the complaint be, and they hereby are, dismissed.

Issued: June 28, 1965.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 65-13040; Filed, Dec. 6, 1965; 8:46 a.m.]

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*; 13.15-195 *Nature*; § 13.235 *Source or origin*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1490 *Nature*; § 13.1565 *Trade names*; Misrepresenting oneself and goods—Goods: § 13.1685 *Nature*; 13.1685-15 *By misleading trade or corporate name*. Subpart—Using misleading name—Goods: § 13.2315 *Nature*; § 13.2345 *Source or origin*; Using misleading name—Vendor: § 13.2425 *Nature, in general*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, LaSalle Distributing Co. et al., Detroit, Mich., Docket 8653, Aug. 6, 1965]

In the Matter of LaSalle Distributing Co., a Partnership, and Eastern Adjustment Salvage Co., a Partnership, and Harry Walkon, Morris Watnick, and Nathan Wigod, Individually and as Copartners Trading and Doing Business as the Above Partnerships

Order requiring Detroit, Mich. retailers of watches, radios, tableware, power tools, and other articles—selling for their own account—to cease using the words "Adjustment" or "Salvage" as part of their corporate name in advertising, thereby misrepresenting their business status and source of their merchandise, and to cease representing that said products were guaranteed without identifying the guarantor and disclosing the terms and conditions thereof.

The order to cease and desist is as follows:

It is ordered, That respondents Eastern Adjustment Salvage Co., a partnership, and Harry Walkon, Morris Watnick, and Nathan Wigod, individually and as copartners trading and doing business as Eastern Adjustment Salvage Co. or under any other trade name or names, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of watches, radios, tableware, power tools, or any other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from: Using the word "Adjustment" or "Salvage," or any other word, or words of similar import or meaning, in or as a part of respondents' trade or corporate name, or otherwise representing, directly or by implication, that they are liquidators, authorized adjusters or agents, engaged in the sale or disposition of bankrupt, estate, salvage, distressed or other distress or surplus merchandise for the purpose of liquidating, adjusting, paying off or otherwise settling indebtedness or claims; or misrepresenting, in any manner, their trade or business status or the source, character

or nature of the merchandise being offered for sale.

It is further ordered, That respondents LaSalle Distributing Co., a partnership, and Eastern Adjustment Salvage Co., a partnership, and Harry Walkon, Morris Watnick, and Nathan Wigod, individually and as copartners trading and doing business as LaSalle Distributing Co. and Eastern Adjustment Salvage Co. or under any other trade name or names, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale or distribution of watches, radios, tableware, power tools, or any other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from: Representing, directly or by implication, that any of respondents' products are guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

By "Final Order" further order requiring report of compliance is as follows:

It is further ordered, That LaSalle Distributing Co., a partnership, and Eastern Adjustment Salvage Co., a partnership, and Harry Walkon, Morris Watnick, and Nathan Wigod, individually and as copartners trading and doing business as the above partnerships, shall, within sixty (60) days after service of this order upon them, file with the Commission a report in writing, signed by such respondents, setting forth in detail the manner and form of their compliance with the order to cease and desist.

Issued: August 6, 1965.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 65-13061; Filed, Dec. 6, 1965; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 815.6, Amdt. 2]

PART 815—ALLOTMENT OF DIRECT CONSUMPTION PORTION OF MAINLAND SUGAR QUOTA FOR PUERTO RICO

Calendar Year 1965

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended and as further amended by Public Law 89-331 approved November 8, 1965 (hereinafter called the "Act"), for the purpose of amending Sugar Regulation 815.6 (30 F.R. 209, 13766) which established allotments of the direct-consumption portion

of the 1965 mainland quota for Puerto Rico.

This amendment of Sugar Regulation 815.6 is necessary to: (1) Give effect to the amendment of Sugar Regulation 811, Amendment 7 (30 F.R. 14260) which established the direct-consumption portion of the 1965 mainland quota for Puerto Rico of 148,677 short tons, raw value, a quantity greater than the 139,500 short tons, raw value, previously allotted and to allot the larger quantity in accordance with findings heretofore made and (2)

determine deficits in allotments and prorate such deficits to other allottees that are able to utilize additional allotments.

The data in the following table shows in Column (1) the allotment of 148,677 tons which would result if each allottee had the ability to market its full allotment; in Column (2) the quantity reported to the Department pursuant to finding (11) of Sugar Regulation 815.6 (30 F.R. 209) and in Column (3) the quantities of deficit determined and prorated:

Allottee	1965 allotments prior to determination of deficits (1)	Maximum 1965 Marketing ability (2)	Deficits (-) and prorations of deficits (+) (3)
	Short tons, raw value		
Central Aguirre Sugar Co., a trust	4,894	7,592	+2,698
Central Roig Refining Co.	20,363	21,500	+1,137
Central San Francisco	1,330	1,234	-96
Puerto Rican American Sugar Rfy., Inc.	97,918	96,000	-1,918
Western Sugar Refining Co.	24,117	23,005	-1,112
Liquid sugar reserve for persons other than named above	25		0
Total	148,677	149,331	0

Findings heretofore made by the Secretary in the course of this proceeding (30 F.R. 209) provide that this order shall be revised without further notice or hearing by the Administrator, Agricultural Stabilization and Conservation Service, for the purposes indicated above and such findings set forth the procedure for the revision of allotments.

Accordingly, allotments are herein established on the basis of and consistent with such findings.

Effective date. It is hereby determined and found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, the amendment made herein shall become effective when filed for public inspection in the Office of the Federal Register.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act, it is hereby ordered that paragraph (a) of § 815.6 be amended to read as follows:

§ 815.6 Allotment of the direct-consumption portion of 1965 sugar quota for Puerto Rico.

(a) **Allotments.** The direct-consumption portion of the 1965 mainland sugar quota for Puerto Rico, amounting to 148,677 short tons, raw value, is hereby allotted as follows:

Allottee	Direct-consumption allotment (short tons raw value)
Central Aguirre Sugar Co., a trust	6,913
Central Roig Refining Co.	21,500
Central San Francisco	1,234
Puerto Rican American Sugar Rfy., Inc.	96,000
Western Sugar Refining Co.	23,005
Liquid sugar reserve for persons other than named above	25
Total	148,677

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interpretations or applies secs. 205, 209; 61 Stat. 926, 928; 7 U.S.C. 1115, 1119)

Done at Washington, D.C., this 2d day of December 1965.

R. P. BEACH,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-13104; Filed, Dec. 3, 1965; 1:28 p.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 190, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date

when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.490 (Lemon Regulation 190, 30 F.R. 14730) are hereby amended to read as follows:

§ 910.490 Lemon Regulation 190.

(b) **Order.** (1) * * *
(ii) District 2: 120,900 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: December 1, 1965.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-13059; Filed, Dec. 6, 1965; 8:47 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-272; Order 809]

PART 11—ANNUAL CHARGES

Costs of Administration

NOVEMBER 30, 1965.

On March 25, 1965, the Commission gave notice by publication in the FEDERAL REGISTER (30 F.R. 4259) that it proposed to amend § 11.20 of its regulations under the Federal Power Act to modify the formula for fixing annual charges to nonpublic licensees (i.e., licensees other than states or municipalities) for hydroelectric projects of more than 2,000 horsepower installed capacity to eliminate the inequities in the application of the existing formula to pumped storage projects. Comments were invited from interested persons to be submitted by April 27, 1965. In response to this notice and invitation, the Commission received comments from 3 licensees, each of whom expressed its approval of the proposed changes in the method of computing annual license charges.

Section 10(e) of the Federal Power Act (16 U.S.C. 803(e)) requires that the Commission fix annual charges to licensees to reimburse the United States for its costs of administering Part I of the Act (16 U.S.C. 791-823). Section 11.20 of the regulations under the Federal Power Act now provides for fixing annual charges to nonpublic licensees by distributing the administrative costs attributable to this class of licensee in the proportion which the "annual charge factor" for each of the projects in the class bears to the total annual charge factors for all of the projects in the class. Paragraph (a)(3) of § 11.20 prescribes

the formula by which the annual charge factor for each project is found. The components of that formula are the project's authorized installed capacity (measured in horsepower) and gross annual energy output (measured in kilowatt-hours), as follows:

$$\text{Annual Charge Factor} = \frac{\text{Authorized Installed Horsepower} + 150 \text{ Gross Annual Kwh Generation}}{1,000,000}$$

A pumped storage operation involves the generation of electric energy during peak load periods by using water electrically pumped into a storage reservoir during earlier off-peak periods. Although more electric energy is consumed in pumping than is realized from generation, the generated energy is more valuable to the electric system than the pumping energy expended because of its timely delivery. Thus, after credit is allowed for the energy used in pumping, the benefits to an electric system from pumped storage facilities are only capacity benefits. Consequently, the use of annual energy output as a factor in the formula now in use causes the annual charges for administrative costs for such facilities to be disproportionately high.

Under the regulation here being adopted, the annual charge factor will be differently determined for each of three types of projects: (1) For conventional projects, the factor will continue to be computed as it now is; (2) for pure pumped storage projects, the factor will be equal to the authorized installed horsepower; (3) for mixed conventional-pumped storage projects, the factor will be found by the following formula—

$$\text{Annual Charge Factor} = \frac{\text{Authorized Installed Horsepower} + 150 (\text{Millions of Kwh Gross Generation}) - 100 (\text{Millions of Kwh for Pumping})}{1,000,000}$$

This formula provides that the annual energy output from pumped storage facilities will not be used to increase the annual charge factor. Because annual energy output from pumped storage facilities may not be measured in all projects, the formula estimates this output as two-thirds of the energy consumed in pumping. This proportion, which is typical of pumped storage operations, is expressed in the formula by the figures 100, by which annual pumping energy is multiplied, and 150, by which gross annual generation is multiplied.

The Commission further finds: (1) In view of the foregoing, and upon consideration of all relevant matters presented, this amendment is necessary and appropriate for the purposes of the Federal Power Act.

The Commission, acting pursuant to the Federal Power Act, as amended, particularly sections 10(e), 304(a) and 309 thereof (49 Stat. 842, 855, 858; 16 U.S.C. 803(e), 825c(a), 825h), orders:

(A) Part 11, Annual Charges, Subchapter B, Regulations Under the Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations, is amended by amending subparagraphs (3) and (4) of paragraph (a) of § 11.20 to read as follows:

§ 11.20 Costs of administration.

(a) * * *

(3) The annual charge factor for each such project shall be found as follows:

(i) For a conventional project the factor is its authorized installed capacity (horsepower) plus 150 times its annual energy output in millions of kilowatt-hours.

(ii) For a pure pumped storage project the factor is the authorized horsepower.

(iii) For a mixed conventional-pumped storage project the factor is its authorized installed capacity (horsepower) plus 150 times its gross annual energy output in millions of kilowatt-hours less 100 times the annual energy used for pumped storage pumping in millions of kilowatt-hours.

(4) To enable the Commission to determine such charges annually, each such licensee shall file with the Commission, on or before February 1 of each year, a statement under oath showing the gross amount of power generated (or produced by nonelectrical equipment) and the amount of power used for pumped storage pumping by the project during the preceding calendar year, expressed in kilowatt hours.

(Secs. 10(e), 304(a), 309, 49 Stat. 842, 855, 858; 16 U.S.C. 803(e), 825c(a), 825h)

(B) This amendment herein adopted shall become effective December 30, 1965.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 65-13028; Filed, Dec. 6, 1965; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Ampicillin; Ampicillin Capsules; Ampicillin for Oral Suspension

Under the authority provided in the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357), and delegated by the Secretary of Health, Education, and Welfare to the Commissioner of Food and Drugs (21 CFR 2.90), Parts 141a and 146a are amended by adding thereto new sections, as follows, to provide for tests and methods of assay and certification of ampicillin (bulk anhydrous) and two dosage forms of this drug.

§ 141a.127 Ampicillin.

(a) *Potency, toxicity, moisture, pH, crystallinity, and ampicillin content.* Proceed as directed in § 141a.111 (a) to (f), inclusive.

(b) *Identity.* The infrared spectrum of a 0.5 percent mixture in a potassium bromide pellet compares qualitatively to that of a similarly treated authentic sample of ampicillin.

§ 141a.128 Ampicillin capsules.

(a) *Potency.* Proceed as directed in § 141a.112(a). The potency of ampicillin capsules is satisfactory if they contain not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that they are represented to contain.

(b) *Moisture.* Use the contents of four capsules and proceed as directed in § 141a.111(c).

§ 141a.129 Ampicillin for oral suspension.

(a) *Potency.* Proceed as directed in § 141a.122(a). Its potency is satisfactory if it contains not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain.

(b) *Moisture.* Proceed as directed in § 141a.26(e).

(c) *pH.* Proceed as directed in § 141a.5(b), except use the suspension obtained after reconstituting the drug as directed in its labeling.

§ 146a.123 Ampicillin.

(a) *Standards of identity, strength, quality, and purity.* Ampicillin is 6-(D-α-aminophenylacetamido)penicillanic acid. It is a white, microcrystalline powder. It is so purified that:

(1) It contains not less than 900 micrograms of ampicillin per milligram on an anhydrous basis.

(2) It passes the toxicity test.

(3) Its moisture content is not more than 2.0 percent.

(4) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 3.5 and not more than 6.0.

(5) Its ampicillin content is not less than 90 percent on an anhydrous basis.

(6) It gives a positive identity test for ampicillin.

(b) *Packaging; labeling; request for certification, samples; fees.* Proceed as directed in § 146a.6 (b), (c), (d), and (e).

§ 146a.124 Ampicillin capsules.

Ampicillin capsules conform to all the requirements and are subject to all procedures prescribed by § 146a.7 for ampicillin trihydrate capsules, except that:

(a) Ampicillin is used in lieu of ampicillin trihydrate in formulating the drug.

(b) Each capsule contains 125 milligrams, 250 milligrams, or 500 milligrams of ampicillin.

(c) The moisture content is not more than 4.0 percent.

(d) The ampicillin used conforms to the requirements of § 146a.123.

§ 146a.125 Ampicillin for oral suspension.

Ampicillin for oral suspension conforms to all the requirements and is sub-

ject to all procedures prescribed by § 146a.118 for ampicillin trihydrate for oral suspension, except that ampicillin is used in lieu of ampicillin trihydrate in formulating the drug, and the ampicillin used conforms to the requirements of § 146a.123.

I find that the drugs ampicillin, ampicillin capsules, and ampicillin for oral suspensions are safe and efficacious for use, conditions prerequisite to their certification under section 507 of the Federal Food, Drug, and Cosmetic Act, when they comply with the regulations promulgated in this order.

Notice and public procedure and delayed effective date are deemed unnecessary in this instance, and I so find, since the basic requirements of the statute have been complied with, since the regulations are not controversial in nature, and since the best interests of the public will be served by the issuance of the foregoing regulations providing for the certification of the subject drugs.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: December 1, 1965.

J. K. KIRK,
Assistant Commissioner
for Operations.

[P.R. Doc. 65-13070; Filed, Dec. 6, 1965;
8:47 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6867]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Foreign Expropriation Capital Loss Carryovers

On September 29, 1965, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under sections 381, 832, 1212, and 1222 of the Internal Revenue Code of 1954 to conform the regulations to section 7 of the Act of September 2, 1964 (Public Law 88-571, 78 Stat. 860), relating to foreign expropriation capital loss carryovers, was published in the FEDERAL REGISTER (30 F.R. 12394). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted.

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: December 2, 1965.

STANLEY S. SURREY,
Assistant Secretary of the
Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 381, 832, 1212, and 1222 of the Internal Revenue Code of 1954 to section 7 of the Act of September 2, 1964 (Public Law 88-571, 78 Stat. 860), such regulations are amended as follows:

PARAGRAPH 1. Section 1.381(c)(3)-1 is amended by adding a subparagraph (3) to paragraph (a) as follows:

§ 1.381(c)(3)-1 Capital loss carryovers.

(a) *Carryover requirement.* * * *

(3) This section contains rules applicable to capital loss carryovers determined without reference to the amendment of section 1212(a) made by section 7 of the Act of September 2, 1964 (Public Law 88-571, 78 Stat. 860) in respect of foreign expropriation capital losses. If the distributor, transferor, or acquiring corporation sustains a net capital loss in a taxable year ending after December 31, 1958, any portion of which is attributable to a foreign expropriation capital loss, such portion shall be carried over to each of the ten succeeding taxable years consistently with the rules prescribed in this section and paragraph (a)(2) of § 1.1212-1.

PAR. 2. Section 1.832-2 is amended by revising paragraph (a) to read as follows:

§ 1.832-2 Deductions.

(a) The deductions allowable are specified in section 832(c) and by reason of the provisions of section 832(c)(10) and (12) include in addition certain deductions provided in sections 161, and 241 and following. The deductions, however, are subject to the limitation provided in section 265, relating to expenses and interest in respect of tax-exempt income. The net operating loss deduction is computed under section 172 and the regulations thereunder. For the purposes of section 172, relating to net operating loss deduction, "gross income" shall mean gross income as defined in section 832(b)(1) and the allowable deductions shall be those allowed by section 832(c) with the exceptions and limitations set forth in section 172(d). In addition to the deduction for capital losses provided in subchapter P (section 1201 and following), chapter 1 of the Code, insurance companies are allowed a deduction for losses from capital assets sold or exchanged in order to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders. A special rule is provided for the application of the capital loss carryover provisions of section 1212. The deduction is the same as that allowed mutual insurance companies subject to the tax imposed by section 821; see section 822(c)(6) and the regulations thereunder. Insurance companies, other than mutual fire insurance companies described in § 1.831-1, are also allowed a deduction for dividends and similar distributions paid or declared to policyholders in their capacity as such. The deduction is otherwise the same as that allowed mutual insurance companies subject to the tax imposed by section

821; see section 823(2) and the regulations thereunder.

PAR. 3. Section 1.832-5 is amended by revising paragraph (a) to read as follows:

§ 1.832-5 Deductions.

(a) The deductions allowable are specified in section 832(c) and by reason of the provisions of section 832(c)(10) and (12) include in addition certain deductions provided in sections 161, and 241 and following. The deductions, however, are subject to the limitation provided in section 265, relating to expenses and interest in respect of tax-exempt income. The net operating loss deduction is computed under section 172 and the regulations thereunder. For the purposes of section 172, relating to net operating loss deduction, "gross income" shall mean gross income as defined in section 832(b)(1) and the allowable deductions shall be those allowed by section 832(c) with the exceptions and limitations set forth in section 172(d). In addition to the deduction for capital losses provided in subchapter P (section 1201 and following), chapter 1 of the Code, insurance companies are allowed a deduction for losses from capital assets sold or exchanged in order to obtain funds to meet abnormal insurance losses and to provide for the payment of dividends and similar distributions to policyholders. A special rule is provided for the application of the capital loss carryover provisions of section 1212. The deduction is the same as that allowed mutual insurance companies subject to the tax imposed by section 821; see section 822(c)(6) and the regulations thereunder. Insurance companies, other than mutual fire insurance companies described in section 831(a)(3)(A) and the regulations thereunder, are also allowed a deduction for dividends and similar distributions paid or declared to policyholders in their capacity as such. Similar distributions include such payments as the so-called unabsorbed premium deposits returned to policyholders by factory mutual insurance companies. The deduction is otherwise the same as that allowed mutual insurance companies subject to the tax imposed by section 821; see section 822(f)(2) and the regulations thereunder.

PAR. 4. Section 1.1212 is amended by revising section 1212(a) and the historical note to read as follows:

§ 1.1212 Statutory provisions; capital loss carryover.

SEC. 1212. *Capital loss carryover.*—(a) *Corporations.*—(1) *In general.* If for any taxable year a corporation has a net capital loss, the amount thereof shall be a short-term capital loss—

(A) In each of the 5 succeeding taxable years, or

(B) To the extent such loss is attributable to a foreign expropriation capital loss, in each of the 10 succeeding taxable years, to the extent such amount exceeds the total of any net capital gains (determined without regard to this paragraph) of any taxable years intervening between the taxable year in which the net capital loss arose and such succeeding taxable year.

(2) *Definitions and special rules.*—(A) *Foreign expropriation capital loss defined.* For purposes of this subsection, the term "foreign expropriation capital loss" means, for any taxable year, the sum of the losses taken into account in computing the net capital loss for such year which are—

(i) Losses sustained directly by reason of the expropriation, intervention, seizure, or similar taking of property by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing; or

(ii) Losses (treated under section 165(g) (1) as losses from the sale or exchange of capital assets) from securities which become worthless by reason of the expropriation, intervention, seizure, or similar taking of property by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing.

(B) *Portion of loss attributable to foreign expropriation capital loss.* For purposes of paragraph (1), the portion of any net capital loss for any taxable year attributable to a foreign expropriation capital loss is the amount of the foreign expropriation capital loss for such year (but not in excess of the net capital loss for such year).

(C) *Priority of application.* For purposes of paragraph (1), if a portion of a net capital loss for any taxable year is attributable to a foreign expropriation capital loss, such portion shall be considered to be a separate net capital loss for such year to be applied after the other portion of such net capital loss.

[Sec. 1212 as amended by sec. 230(a), Rev. Act 1964 (78 Stat. 99); sec. 7(a), Act of Sept. 2, 1964 (Pub. Law 88-571, 78 Stat. 860)]

PAR. 5. Section 1.1212-1 is amended by revising paragraph (a) to read as follows:

§ 1.1212-1 Capital loss carryover.

(a) *Corporations; other taxpayers for taxable years beginning before January 1, 1964.*—(1) *Regular net capital loss.*

(i) A corporation sustaining a net capital loss, and a taxpayer other than a corporation sustaining a net capital loss for any taxable year beginning before January 1, 1964, shall carry over such loss to each of the five succeeding taxable years and treat it in each of such five succeeding taxable years as a short-term capital loss to the extent not allowed as a deduction against any net capital gains of any taxable years intervening between the taxable year in which the net capital loss was sustained and the taxable year to which carried. The carryover is thus applied in each succeeding taxable year to offset any net capital gain in such succeeding taxable year. The amount of the capital loss carryover may not be included in computing a new net capital loss of a taxable year which can be carried forward to the next five succeeding taxable years. For purposes of this subparagraph, a net capital gain shall be computed without regard to capital loss carryovers. Further, a net capital loss for a taxable year beginning before October 20, 1951, shall be determined under the applicable law relating to the computation of capital gains and losses in effect before such date. Thus, where the applicable law for a taxable year beginning before October 20, 1951, provided that only certain percentages of the gain or loss recognized upon the sale or exchange of a capital

asset should be taken into account in computing net capital loss, such percentages are to be taken into account in computing net capital loss for any such taxable year under this subparagraph. In the case of nonresident alien individuals not engaged in trade or business within the United States, see section 871 for special rules on capital loss carryovers. For the rules applicable to the portion of a net capital loss of a corporation which is attributable to a foreign expropriation capital loss sustained in taxable years ending after December 31, 1958, see subparagraph (2) of this paragraph. For the rules applicable to a taxpayer other than a corporation in

the treatment of that amount of a net capital loss which may be carried over under this subparagraph as a short-term capital loss to the first taxable year beginning after December 31, 1963, see paragraph (b) of this section.

(ii) The practical operation of the provisions of this subparagraph may be illustrated by the following example:

Example. (a) For the taxable years 1952 to 1956, inclusive, an individual with one exemption allowable under section 151 (or corresponding provision of prior law) is assumed to have a net short-term capital loss, net short-term capital gain, net long-term capital loss, net long-term capital gain, and taxable income (net income for 1952 and 1953) as follows:

	1952	1953	1954	1955	1956
Carryover from prior years:					
From 1952.....		(\$50,000)	(\$29,500)	(\$29,500)	(\$13,000)
From 1954.....				(19,500)	
Net short-term loss (computed without regard to the carryovers).....	(\$30,000)	(5,000)	(10,000)		
Net short-term gain (computed without regard to the carryovers).....				40,000	
Net long-term loss.....	(20,500)		(10,000)	(5,000)	
Net long-term gain.....		25,000			15,000
Net income or taxable income, computed without regard to capital gains and losses, and, after 1953, without regard to the deduction provided by section 151.....	500	500	500	1,000	500
Net capital gain (computed without regard to the carryovers).....		20,500		30,000	
Net capital loss.....	(\$50,000)		(19,500)		
Deduction allowable under section 1202.....					1,000
Taxable income (after deductions allowable under secs. 151 and 1202).....					900

(b) *Net capital loss of 1952.* The net capital loss is \$50,000. This figure is the excess of the losses from sales or exchanges of capital assets over the sum of (1) gains (in this case, none) from sales or exchanges of capital assets, and (2) net income (computed without regard to capital gains and losses) of \$500. This amount may be carried forward in full as a short-term loss to 1953. However, in 1953 there was a net capital gain of \$20,500, as defined by section 117(a)(10) (B) of the Internal Revenue Code of 1939, and limited by section 117(e)(1) of the 1939 Code, against which this net capital loss of \$50,000 is allowed in part. The remaining portion—\$29,500—may be carried forward to 1954 and 1955 since there was no net capital gain in 1954. In 1955 this \$29,500 is allowed in full against net capital gain of \$30,000, as defined by paragraph (d) of § 1.1212-1 and limited by subdivision (i) of this subparagraph.

(c) *Net capital loss of 1954.* The net capital loss is \$19,500. This figure is the excess of the losses from sales or exchanges of capital assets over the sum of (1) gains (in this case, none) from sales or exchanges of capital assets and (2) taxable income (computed without regard to capital gains and losses and the deductions provided in section 151) of \$500. This amount may be carried forward in full as a short-term loss to 1955. The net capital gain in 1955, before deduction of any carryovers, is \$30,000. (See sections 1222(9) (B) and 1212 of the Internal Revenue Code of 1954, as it existed prior to the enactment of the Revenue Act of 1964.) The \$29,500 balance of the 1952 loss is first applied against the \$30,000, leaving a balance of \$500. Against this amount the \$19,500 loss arising in 1954 is applied, leaving a loss of \$13,000, which may be carried forward to 1956. Since this amount is treated as a short-term capital loss in 1956 under subdivision (i) of this subparagraph, the excess of the net long-term capital gain over the net short-term capital loss is \$2,000 (\$15,000 minus \$13,000). Half of this excess is allowable as a deduction under section 1202. Thus, after also deducting the exemption allowed as a deduction under section 151

(\$600), the taxpayer has a taxable income of \$900 (\$2,500 minus \$1,600) for 1956.

(2) *Corporations sustaining foreign expropriation capital losses for taxable years ending after December 31, 1958.*—

(i) *In general.* A corporation sustaining a net capital loss for any taxable year ending after December 31, 1958, any portion of which is attributable to a foreign expropriation capital loss, shall carry over such portion of the loss to each of the ten succeeding taxable years and treat it in each of such succeeding taxable years as a short-term capital loss to the extent and consistent with the manner provided in subparagraph (1) of this paragraph. For such purposes, the portion of any net capital loss for any taxable year which is attributable to a foreign expropriation capital loss is the amount, not in excess of the net capital loss for such year, of the foreign expropriation capital loss for such year. The portion of a net capital loss for any taxable year which is attributable to a foreign expropriation capital loss shall be treated as a separate net capital loss for that year and shall be applied, after first applying the remaining portion of such net capital loss, to offset any net capital gain in a succeeding taxable year. In applying net capital losses of two or more taxable years to offset the net capital gain of a subsequent taxable year, such net capital losses shall be offset against such net capital gain in the order of the taxable years in which the losses were sustained, beginning with the loss for the earliest preceding taxable year, even though one or more of such net capital losses are attributable in whole or in part to a foreign expropriation capital loss.

(ii) *Foreign expropriation capital loss defined.* For purposes of this subparagraph the term "foreign expropriation

capital loss" means, for any taxable year, the sum of the losses taken into account in computing the net capital loss for such year which are—

(a) Losses sustained directly by reason of the expropriation, intervention, seizure, or similar taking of property by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing, or

(b) Losses (treated under section 165 (g)(1) as losses from the sale or exchange of capital assets) from securities which become worthless by reason of the expropriation, intervention, seizure, or similar taking of property by the government of any foreign country, any political subdivision thereof, or any agency or instrumentality of the foregoing.

(iii) *Illustrations.* The application of this subparagraph may be illustrated by the following examples:

Example 1. X, a domestic corporation which uses the calendar year as the taxable year, owns as a capital asset 75 percent of the outstanding stock of Y, a foreign corporation operating in a foreign country. In 1961, the foreign country seizes all of the assets of Y, rendering X's stock in Y worthless and thus causing X to sustain a \$40,000 foreign expropriation capital loss for such year. In 1961, X has \$30,000 of other losses from the sale or exchange of capital assets and \$50,000 of gains from the sale or exchange of capital assets. X's net capital loss for 1961 is \$20,000 (\$70,000—\$50,000). Since the foreign expropriation capital loss exceeds this amount, the entire \$20,000 is a foreign expropriation capital loss for 1961.

Example 2. Z, a domestic corporation which uses the calendar year as the taxable year, has a net capital loss of \$50,000 for 1961, \$30,000 of which is attributable to a foreign expropriation capital loss. Pursuant to the provisions of this paragraph, \$30,000 of such net capital loss shall be carried over as a short-term capital loss to each of the 10 taxable years succeeding 1961, and the remaining \$20,000 of the net capital loss shall be carried over as a short-term capital loss to each of the 5 taxable years succeeding 1961. Z has a \$35,000 net capital gain (determined without regard to any capital loss carryover) for 1962. In offsetting the \$50,000 capital loss carryover from 1961 against the \$35,000 net capital gain for 1962, the \$30,000 portion of such carryover which is attributable to the foreign expropriation capital loss for 1961 is applied against the 1962 net capital gain after applying the \$20,000 remaining portion of the carryover. Thus, there is a capital loss carryover of \$15,000 to 1963, all of which is attributable to the foreign expropriation capital loss for 1961. Z has a net capital loss for 1963 of \$10,000, no portion of which is attributable to a foreign expropriation capital loss. For 1964, Z has a net capital gain of \$22,000 (determined without regard to the capital loss carryovers from 1961 and 1963). In offsetting the capital loss carryovers from 1961 and 1963 against Z's \$22,000 net capital gain for 1964, the \$15,000 carryover from 1961 is applied against the 1964 net capital gain before the \$10,000 capital loss carryover from 1963 is applied against such gain. Thus, \$3,000 of the 1963 net capital loss remains to be carried over to 1965.

PAR. 6. Section 1.1222-1 is amended by revising paragraphs (b)(1) and (d) to read as follows:

§ 1.1222-1 Other terms relating to capital gains and losses.

(b)(1) In the definition of "net short-term capital gain", as provided in section 1222(5), the amounts brought forward to the taxable year under section 1212 (other than section 1212(b)(1)(B)) are short-term capital losses for such taxable year.

(d) In the case of a corporation, the term "net capital gain" means the excess of the gains from sales or exchanges of capital assets over the losses from sales or exchanges of capital assets, which losses include any amounts brought forward by such taxpayer pursuant to section 1212. In the case of a taxpayer other than a corporation for taxable years beginning before January 1, 1964, the term "net capital gain" means the excess of (1) the sum of the gains from sales or exchanges of capital assets, plus taxable income (computed without regard to gains and losses from sales or exchanges of capital assets and without regard to the deductions provided by section 151, relating to personal exemptions, or any deductions in lieu thereof) of the taxpayer or \$1,000, whichever is smaller, over (2) the losses from sales or exchanges of capital assets, which losses include amounts brought forward by such taxpayer under section 1212. Thus, in the case of estates and trusts for taxable years beginning before January 1, 1964, taxable income for the purposes of this paragraph shall be computed without regard to gains and losses from sales or exchanges of capital assets and without regard to the deductions allowed by section 642(b) to estates and trusts in lieu of personal exemptions. The term "net capital gain" is not applicable in the case of a taxpayer other than a corporation for taxable years beginning after December 31, 1963. In the case of a taxpayer whose tax liability is computed under section 3 for taxable years beginning before January 1, 1964, the term "taxable income", for purposes of this paragraph, shall be read as "adjusted gross income". For application of the term "net capital gain", in comput-

ing the capital loss carryover under section 1212, see paragraphs (a)(1)(ii) and (a)(2)(iii) of § 1.1212-1.

(Sec. 7805, Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

[F.R. Doc. 65-13063; Filed, Dec. 6, 1965; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-4—SPECIAL TYPES AND METHODS OF PROCUREMENT

Subpart 9-4.51—Washington-Designated Research and Development Contracts With Educational Institutions

SUMMARY AND DISTRIBUTION OF REPORTS

Section 9-4.5109-8 *Summary and distribution of reports*, is revised to read as follows:

§ 9-4.5109-8 Summary and distribution of reports.

A table summarizing the various types of reports, time for submission, number of copies and distribution is set forth below. The distribution and schedule of reports shall be as prescribed in this table, unless the authorizing program division specifies otherwise. Usually an annual progress report and a 200-word summary are sufficient for fundamental research. These reports are prepared by the contractor and submitted to the appropriate AEC Field Office for distribution. The AEC Field Office shall transmit these reports with a covering memorandum indicating: (a) The other AEC offices receiving the documents, (b) the name of the contractor, and (c) the contract number. Each copy of the document should bear the contract number.

DISTRIBUTION AND SCHEDULE OF DOCUMENTS

Type	When due	Number of copies	Disposition of copies	Remarks
1. Summary: 200 words on scope and purpose (8, I.E. Form).	At start of initial contract and each renewal period.	4	Field Office (1); appropriate HQ Division (3).	
2. Renewal proposal.	Not later than 3 months nor earlier than 6 months before contract expires.	6	Field Office (2); appropriate HQ Division (4).	Bind separately from annual progress report.
3. Annual progress report.	With renewal proposal.	7	Field Office (2); appropriate HQ Division (4); DTIE (1). ¹	Bind separately from renewal proposal.
4. Other progress reports (brief topical reports, etc.).	As deemed necessary by investigator or as specifically requested by appropriate HQ Division.	7, or as requested.	do.....	Desired when significant results develop or when work has direct programmatic impact.
5. Reprints.....	As soon as available.....	7	do.....	Form AEC-427 not required with DTIE copy.
6. Manuscripts of journal articles.	When submitted to journal.	7	do.....	
7. Manuscripts of oral presentations.	When submitted to conference.	7	do.....	Abstracts will suffice if manuscript not available.
8. Final report.....	When contract is completed.	6	Field Office (2); appropriate HQ Division (2); DTIE (1); ¹ HQ Patent Br. (1).	

¹ DTIE copies should be accompanied by one copy of Form AEC-427 (except as noted above for item 5, reprints) and should be sent direct to USAEC, Division of Technical Information Extension, Post Office Box 62, Oak Ridge, Tenn., 37831, unless otherwise specified by the contract administrator.

(Sec. 161 Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These amendments are effective 45 days after publication in the FEDERAL REGISTER, but may be observed earlier.

Dated at Germantown, Md., this 29th day of November 1965.

For the U.S. Atomic Energy Commission.

R. J. HART,
Acting Director,
Division of Contracts.

[F.R. Doc. 65-13023; Filed, Dec. 6, 1965; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3894]

[Utah 0143635]

UTAH

Powersite Cancellation No. 217, Supplement Correction of Public Land Order No. 3744

By virtue of the authority contained in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 1332-15, note), it is ordered as follows:

1. The departmental order of April 10, 1946, creating Powersite Classification No. 377, is hereby canceled so far as it affects the following described lands:

SALT LAKE MERIDIAN

T. 26 S., R. 22 E.,
Sec. 6, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing approximately 5 acres of non-public land.

2. Public Land Order No. 3744 of July 26, 1965, which canceled Powersite Classification No. 377 in part, is hereby corrected in the following respect:

In T. 26 S., R. 22 E., sec. 8, the description "SE $\frac{1}{4}$ NE $\frac{1}{4}$ " appearing twice in the said order is corrected to read "SW $\frac{1}{4}$ NE $\frac{1}{4}$ ".

The SW $\frac{1}{4}$ NE $\frac{1}{4}$ is withdrawn for reclamation purposes.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

DECEMBER 1, 1965.

[F.R. Doc. 65-13044; Filed, Dec. 6, 1965; 8:46 a.m.]

[Public Land Order 3895]

[Washington 05789]

WASHINGTON

Revocation of National Forest Administrative Sites

By virtue of the authority vested in the President and pursuant to Executive

Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Departmental orders of November 23, 1906; December 13, 1906; September 23, 1907; November 9, 1907; November 26, 1907; January 28, 1908; February 25, 1908; April 13, 1908; October 17, 1908; December 4, 1908; December 15, 1908; March 15, 1909; August 19, 1909, and October 28, 1909, withdrawing lands for national forest administrative sites are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

MOUNT BAKER NATIONAL FOREST

Big Beaver Administrative Site No. 35

T. 39 N., R. 12 E. (unsurveyed),
Sec. 36, metes and bounds.

OKANOGAN NATIONAL FOREST

McGregor Flat Ranger Station Administrative Site

T. 33 N., R. 17 E. (unsurveyed),
Sec. 9, metes and bounds (SW $\frac{1}{4}$ SW $\frac{1}{4}$);
Sec. 16, metes and bounds (NW $\frac{1}{4}$ NW $\frac{1}{4}$).

SNOQUALMIE NATIONAL FOREST

Big Creek Administrative Site

T. 14 N., R. 7 E.,
Sec. 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Nisqually Ranger Station Administrative Site

T. 15 N., R. 7 E.,
Sec. 32, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Christoff Ranger Station Administrative Site

T. 19 N., R. 9 E.,
Sec. 2, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Hemlock Administrative Site

T. 22 N., R. 9 E.,
Sec. 26, lots 1 and 2.

General McClellan Ranger Station Administrative Site

T. 19 N., R. 10 E.,
Sec. 22, NW $\frac{1}{4}$.

Snoqualmie Administrative Site

T. 24 N., R. 10 E.,
Sec. 20, SE $\frac{1}{4}$.

North Fork Administrative Site

T. 12 N., R. 12 E.,
Sec. 6, metes and bounds (NE $\frac{1}{4}$ NE $\frac{1}{4}$).

Conrad Meadows Administrative Site

T. 12 N., R. 12 E.,
Sec. 23, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Swamp Cabin Ranger Station Administrative Site

T. 16 N., R. 12 E.,
Sec. 26, metes and bounds.

South Fork Administrative Site

T. 13 N., R. 13 E.,
Sec. 31, metes and bounds (NE $\frac{1}{4}$);
Sec. 32, metes and bounds (W $\frac{1}{2}$ SW $\frac{1}{4}$).

Timothy Ranger Station Administrative Site

T. 18 N., R. 13 E.,
Sec. 5, metes and bounds (SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$).

Naches Ranger Station Administrative Site

T. 18 N., R. 13 E.,
Sec. 6, metes and bounds (W $\frac{1}{2}$ NE $\frac{1}{4}$ and
NW $\frac{1}{4}$).

Cash Prairie Ranger Station Administrative Site

T. 14 N., R. 14 E.,
Sec. 21, metes and bounds (SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$).

Soda Springs Ranger Station Administrative Site

T. 14 N., R. 14 E.,
Sec. 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

WENATCHEE NATIONAL FOREST

Icele Ranger Station Administrative Site

T. 24 N., R. 17 E.,
Sec. 28, metes and bounds (N $\frac{1}{2}$ SW $\frac{1}{4}$).

Mox Canyon Ranger Station Administrative Site

T. 25 N., R. 17 E.,
Sec. 24, S $\frac{1}{2}$ NW $\frac{1}{4}$.

Beaver Creek Ranger Station Administrative Site

T. 26 N., R. 17 E.,
Sec. 12, lot 5.

Maverick Peak Ranger Station Administrative Site

T. 27 N., R. 18 E.,
Sec. 20, NW $\frac{1}{4}$.

Clear Creek Administrative Site

T. 27 N., R. 18 E.,
Sec. 30, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described, including the nonpublic and national forest lands, aggregate 1,493.31 acres in Whatcom, Chelan, Lewis, Pierce, King, Yakima, and Kittitas Counties, of which those in T. 14 N., R. 7 E., and T. 22 N., R. 9 E., are nonpublic lands.

2. At 10 a.m. on January 6, 1966, the national forest lands shall be open to such forms of disposition as may by law be made of such lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

DECEMBER 1, 1965.

[F.R. Doc. 65-13045; Filed, Dec. 6, 1965; 8:46 a.m.]

[Public Land Order 3896]

[Sacramento 079883]

CALIFORNIA

Inter-Forest Land Transfers Exclusion of Private Lands From Plumas National Forest

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and upon recommendation of the Secretary of Agriculture, it is ordered as follows:

1. The following described lands are hereby excluded from the Plumas National Forest, and the boundaries of the said forest are adjusted accordingly:

MOUNT DIABLO MERIDIAN

T. 18 N., R. 7 E.,
Sec. 5, lots 1 to 4, incl., S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
and SE $\frac{1}{4}$;
Sec. 6, lots 1 to 7, incl., S $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 8, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 19 N., R. 7 E.,
Sec. 31, lots 5, 7, and 8, S $\frac{1}{2}$ SE $\frac{1}{4}$, and
NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described above aggregate approximately 1,580.70 acres of patented lands.

2. The following described lands within the exterior boundaries of the Stanislaus

National Forest are hereby transferred to the Eldorado National Forest:

MOUNT DIABLO MERIDIAN

T. 7 N., R. 14 E.,

Secs. 9 to 13, incl., 17, 19, and 20, those portions lying north of the North Fork of the Mokelumne River.

3. The following described lands within the exterior boundaries of the Eldorado National Forest are hereby transferred to the Stanislaus National Forest:

MOUNT DIABLO MERIDIAN

T. 7 N., R. 14 E.,

Secs. 10, 17, and 20, those portions lying south of the North Fork of the Mokelumne River.

4. The following described lands within the exterior boundaries of the Tahoe National Forest are hereby transferred to the Plumas National Forest:

MOUNT DIABLO MERIDIAN

T. 21 N., R. 13 E.,

Secs. 13 and 14, those portions lying westerly of the divide between Sulphur Creek and Sierra Valley.

The areas described aggregate approximately 812 acres.

The exterior boundaries of the forests involved are hereby adjusted in accordance with the transfers made by this order.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

DECEMBER 1, 1965.

[F.R. Doc. 65-13046; Filed, Dec. 6, 1965; 8:46 a.m.]

[Public Land Order 3897]

[Oregon 016434]

OREGON

Withdrawal for National Forest Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described lands in the national forests indicated, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

WILLAMETTE MERIDIAN, OREGON

UMATILLA NATIONAL FOREST

Long Prairie Spring Campground

T. 7 S., R. 24 E.,

Sec. 1, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Crawford Spring Campground

T. 7 S., R. 24 E.,

Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Government Spring Campground

T. 6 S., R. 26 E.,

Sec. 28, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Willow Spring Campground

T. 7 S., R. 26 E.,

Sec. 10, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Siole Spring Campground

T. 6 S., R. 28 E.,

Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Biscuit Spring Campground

T. 4 S., R. 29 E.,

Sec. 32, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Oriental Campground

T. 7 S., R. 33 E.,

Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

SISKIYOU NATIONAL FOREST

T. 36 S., R. 13 W.,

Sec. 1, E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 2, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ (unsurveyed);

Sec. 3, lot 7.

The areas described aggregate 330 acres.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

DECEMBER 1, 1965.

[F.R. Doc. 65-13047; Filed, Dec. 6, 1965; 8:46 a.m.]

[Public Land Order 3898]

[Utah 0144044]

UTAH

Addition to National Forest

By virtue of the authority vested in the President by section 24 of the act of March 3, 1891 (20 Stat. 1103; 16 U.S.C. 471), and by section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Subject to valid existing rights, the following described lands are hereby added to and made a part of the Dixie National Forest, and hereafter shall be subject to all laws and regulations applicable thereto:

SALT LAKE MERIDIAN

T. 41 S., R. 14 W.,

Sec. 17, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 18, lots 1 to 6, incl., NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 41 S., R. 15 W.,

Sec. 13, NE $\frac{1}{4}$.

The areas described aggregate 801.36 acres in Washington County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

DECEMBER 1, 1965.

[F.R. Doc. 65-13048; Filed, Dec. 6, 1965; 8:46 a.m.]

[Public Land Order 3899]

[Colorado 0124543]

COLORADO

Withdrawal of Lands for Alamosa National Wildlife Refuge

By virtue of the authority vested in the President and pursuant to Executive

Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Subject to valid existing rights, the following described public land, which is under the jurisdiction of the Secretary of the Interior, is hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Title 30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved as part of the Alamosa National Wildlife Refuge:

NEW MEXICO PRINCIPAL MERIDIAN

T. 36 N., R. 11 E.,

Sec. 2, lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 86.29 acres in Alamosa County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

DECEMBER 1, 1965.

[F.R. Doc. 65-13049; Filed, Dec. 6, 1965; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Lower Souris National Wildlife Refuge, N. Dak.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations: sport fishing; for individual wildlife refuge areas.

NORTH DAKOTA

LOWER SOURIS NATIONAL WILDLIFE REFUGE

Sport fishing on the Lower Souris National Wildlife Refuge, N. Dak., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 11,430 acres or 100 percent of the total water area of the refuge, are delineated on maps available at refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from December 15, 1965, through March 27, 1966, daylight hours only. The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through March 27, 1966.

JERALD J. WILSON,
Refuge Manager, Lower Souris National Wildlife Refuge, Upham, N. Dak.

NOVEMBER 30, 1965.

[F.R. Doc. 65-13041; Filed, Dec. 6, 1965; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 240]

WINE

Notice of Proposed Rule Making

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form in the appendix below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate, to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington, D.C., 20224, within the period of 15 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Director, within the 15-day period. In such a case, a public hearing will be held and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

In order to implement the provisions of section 806 (b) and (c) of Public Law 89-44 relating to (a) the amelioration and sweetening of wine, (b) the use of sugar in the production of wine, and (c) the total solids content of wine; and to make conforming amendments, the regulations in 26 CFR Part 240 are amended as follows:

PARAGRAPH 1. Section 240.13 is amended to redefine the term "Amelioration." As amended, § 240.13 reads as follows:

§ 240.13 Amelioration.

"Amelioration" shall mean the addition to juice or wine, before, during, and after fermentation, of either water or pure sugar, or a combination of water and pure sugar, or liquid sugar or invert sugar syrup, to adjust the acid content or to develop alcohol by fermentation.

§§ 240.30, 240.36 [Revoked]

PAR. 2. Sections 240.30 and 240.36 are revoked.

PAR. 3. Section 240.40 is amended to redefine the term "Pure sugar." As amended, § 240.40 reads as follows:

§ 240.40 Pure sugar.

"Pure sugar" shall mean pure refined sugar, suitable for human consumption, having a dextrose equivalent of not less than 95 percent on a dry basis, and produced from cane, beets, or fruit, or from grain or other sources of starch: *Provided*, That invert sugar syrup produced from such pure sugar by recognized methods of inversion may be used to prepare any sugar syrup, or solution of water and pure sugar.

PAR. 4. Section 240.40a is amended to redefine the term "Liquid sugar." As amended, § 240.40a reads as follows:

§ 240.40a Liquid sugar.

"Liquid sugar" shall mean a substantially colorless pure sugar and water solution containing not less than 60 percent pure sugar by weight (60 degrees Brix).

PAR. 5. A new section, § 240.40c, is added immediately following § 240.40b to define the term "Sugar." As added, § 240.40c reads as follows:

§ 240.40c Sugar.

"Sugar" shall mean pure sugar, liquid sugar, and invert sugar syrup.

§ 240.42 [Revoked]

PAR. 6. Section 240.42 is revoked.

PAR. 7. Section 240.46 is amended to redefine the term "Specially sweetened natural wine." As amended, § 240.46 reads as follows:

§ 240.46 Specially sweetened natural wine.

"Specially sweetened natural wine" shall mean a product having a total solids content in excess of 17 percent by weight and an alcohol content of less than 14 percent by volume, made in accordance with the provisions of section 5385, I.R.C., and Subpart R of this part.

PAR. 8. Section 240.163 is amended to delete references to intermediate storage, reserve storage, and permanent storage. As amended, § 240.163 reads as follows:

§ 240.163 Markings on fermenting and storage tanks.

Each tank used for the fermentation or storage of wine or for addition of wine spirits to wine will be marked with a permanent serial number and the capacity in wine gallons. Tanks of uniform dimensions from top to bottom shall be marked in addition with the capacity per inch of depth. Each tank will be marked to show its current use, either by permanent markings or by removable signs of durable materials. The use will be shown as "Fermenting Tank" (or "Fermenter"), "Storage Tank," or "Wine Spirits Addition Tank," and may be abbreviated to the initial letters if desired.

Notification to the assistant regional commissioner is not required when changing the use and designation of such tanks, but only tanks approved for use in the addition of wine spirits to wine as provided in § 240.198 may be used for that purpose. A single series of numbers will be used for all fermenting, storage, and wine spirits addition tanks, except that separate series, preceded by an identifying letter, may be used for tanks in different buildings or rooms, if desired. (72 Stat. 1379; 26 U.S.C. 5357)

PAR. 9. Section 240.221 is amended to delete the parenthetical reference to wine in intermediate storage. As amended, § 240.221 reads as follows:

§ 240.221 Bond, Form 700.

Each proprietor of a bonded wine cellar shall give bond, Form 700, for the payment of taxes imposed by the United States, including rectification and occupational taxes and penalties and interest, for which the proprietor shall become liable to the United States, respecting wine and wine spirits and the operation of the bonded wine cellar, whether the transaction or operation upon which the liability of the proprietor is based occurred on the bonded wine cellar premises (including transfers between non-contiguous portions thereof), or in transit, and for the faithful compliance, without fraud or evasion, with all requirements of the laws of the United States and regulations made in conformity therewith respecting wine and wine spirits and the operation of the bonded wine cellar. The penal sum of the bond shall be not less than the tax on all wine and wine spirits possessed at the bonded wine cellar, in transit to the bonded wine cellar, wine spirits authorized to be withdrawn under approved applications, or wine or wine spirits unaccounted for, at any one time, and the tax on all wine removed for export or for use as supplies on vessels or aircraft, but not exported or otherwise accounted for. The penal sum of the bond shall be not less than \$1,000 or more than \$50,000, except that where the amount of tax exceeds \$250,000, the penal sum of the bond shall be \$100,000: *Provided*, That the obligation on Form 700 shall not apply with respect to taxes in excess of \$100 which have been determined for deferred payment upon removal of the wine from the bonded wine cellar, or transfer to a tax-paid wine room on the bonded wine cellar premises. (72 Stat. 1379; 26 U.S.C. 5354)

PAR. 10. Section 240.354 is amended to authorize the use in standard wine of pure sugar as redefined in § 240.40. As amended, § 240.354 reads as follows:

§ 240.354 Sugar.

If dry sugar is to be used in the production of standard wine, only pure sugar, as defined in § 240.40, may be used.

If a solution of water and pure sugar is to be used, liquid sugar, or invert sugar syrup produced from pure sugar by recognized methods of inversion, may be used in the preparation of such solution. The use of mixtures of either different kinds of dry sugar or of different kinds of liquid sugar is permissible.

(72 Stat. 1387, as amended; 26 U.S.C. 5392)

PAR. 11. Section 240.360 is amended to delete the reference to total sugar solids. As amended, § 240.360 reads as follows:

§ 240.360 General.

Natural grape wine is the product of the juice of sound, ripe grapes, made with cellar treatment authorized by this part and having a total solids content subject to limitations stated in this subpart, but the total solids content of the wine shall in no case exceed 21 percent by weight.

(72 Stat. 1383, as amended; 1384, as amended; 26 U.S.C. 5381, 5382, 5383)

PAR. 12. Section 240.362 is amended to delete the requirement that the liquid in fermenters must be reported as wine produced within 30 days after deposit therein or be transferred to intermediate storage, and to require that the quantity of liquid in fermenters at the close of each month shall be reported on Form 702. As amended, § 240.362 reads as follows:

§ 240.362 Crushing and fermentation.

Water added at the time of crushing, including that necessary to flush equipment, may not reduce the density of the juice below 22 degrees Brix, in the production of natural wine: *Provided*, That if the total solids content of the juice is less than 23 degrees Brix, water used to flush equipment shall reduce the total solids content of the juice less than 1 degree Brix. (This limitation does not apply where water is used in the production of wine from high acid grapes; however, the limitations stated in § 240.366 are applicable.) Upon removal of wine from fermenters, the quantity of liquid will be determined accurately and recorded as wine produced. The quantity of liquid in fermenters at the close of each month shall be reported on Form 702 in the part of the form provided specifically therefor.

(72 Stat. 1381, 1383, as amended; 26 U.S.C. 5367, 5382)

PAR. 13. Section 240.363 is amended to prescribe procedures for the sweetening, with juice or sugar, of natural grape wine made without the use of sugar. As amended, § 240.363 reads as follows:

§ 240.363 Sweetening of natural grape wine produced without the use of sugar.

Natural grape wine produced without the use of sugar may be sweetened with concentrated or unconcentrated grape juice, before or after the addition of wine spirits; the only limitation being that the total solids content of the finished wine shall not exceed 21 percent by weight. Any natural grape wine produced without the use of sugar and containing less

than 12 percent by weight of total solids, may be sweetened, after removal from fermenters, with pure dry sugar or liquid sugar if the total solids content of the finished wine does not exceed 12 percent by weight and the alcoholic content of the finished wine after sweetening is less than 14 percent by volume: *Provided*, That the use under this section of liquid sugar shall be so limited that the resulting volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only. The gallons of wine before and after sweetening shall be determined and entered on the record provided for in § 240.908. Where wine is sweetened with pure dry sugar or liquid sugar, show in such record which of those was used.

(72 Stat. 1383, as amended; 1384, as amended; 1387, as amended; 26 U.S.C. 5382, 5383, 5392)

PAR. 14. Section 240.366 is amended to authorize the addition of ameliorating material after fermentation, and to delete the requirement that ameliorating material may be added only in fermenters or intermediate storage. As amended, § 240.366 reads as follows:

§ 240.366 Limitations on amelioration.

In producing wine from grapes or grape juice having a high acid content, there may be added to the juice or to the wine, or both, ameliorating material consisting of either water, pure dry sugar, a combination of water and pure dry sugar, liquid sugar, or invert sugar syrup. The total volume of ameliorating material shall not reduce the natural fixed acid content of the juice and ameliorating material combined to less than five parts per thousand. The acid content shall be determined before fermentation, and calculated as tartaric acid. The volume of ameliorating material shall not exceed 35 percent of the total volume of the ameliorated juice or wine (calculated exclusive of pulp). The ameliorating material may be added before, during, or after fermentation. Where ameliorating material is added after fermentation, the gallons of wine before and after such addition shall be determined and entered on the record provided for in § 240.908. See Subpart XX of this part for tables showing the maximum quantity in gallons of ameliorating material that may be added to each 1,000 gallons of juice (exclusive of pulp) based on the acid expressed in parts per thousand of tartaric acid.

(72 Stat. 1384, as amended; 26 U.S.C. 5383)

PAR. 15. Section 240.367 is amended to delete the requirement that the liquid in fermenters must be reported as wine produced within 30 days after deposit therein or be transferred to intermediate storage, and to require that the quantity of liquid in fermenters at the close of each month shall be reported on Form 702. As amended, § 240.367 reads as follows:

§ 240.367 Record of production.

Upon completion of fermentation and removal from fermenters, the quantity of liquid will be determined accurately and recorded as wine produced. The

quantity of liquid in fermenters at the close of each month shall be reported on Form 702 in the part of the form provided specifically therefor.

(72 Stat. 1381, 1384, as amended; 26 U.S.C. 5367, 5383)

PAR. 16. Section 240.368 is amended to prescribe procedures for the sweetening, with juice or sugar, of natural grape wine made with the use of sugar. As amended, § 240.368 reads as follows:

§ 240.368 Sweetening of natural grape wine produced with the use of sugar.

(a) *Use of concentrated or unconcentrated juice.* Any natural grape wine produced with the use of sugar may be sweetened, with concentrated or unconcentrated grape juice, before or after the addition of wine spirits; the only limitation being that the total solids content of the finished wine shall not exceed 21 percent by weight.

(b) *Use of pure dry sugar or liquid sugar.*

(1) Any natural grape wine produced with the use of sugar and containing less than 12 percent by weight of total solids, may be sweetened, after removal from the fermenters, with pure dry sugar or liquid sugar, if the total solids content of the finished wine does not exceed 12 percent by weight and the alcoholic content of the finished wine after sweetening is less than 14 percent by volume: *Provided*, That the use under this subparagraph of liquid sugar shall be limited so that the resulting volume will not exceed the volume which could result from the maximum authorized use of dry sugar only.

(2) Any natural grape wine of a wine-maker's own production, produced under the provisions of § 240.365, may be sweetened, after removal from fermenters, with pure dry sugar or liquid sugar: *Provided*, That the total solids content of the finished wine shall not exceed 17 percent by weight if the alcoholic content is 14 percent or more by volume, and shall not exceed 21 percent by weight if the alcoholic content is less than 14 percent by volume: *Provided further*, That the volume of finished wine shall not exceed the volume of the juice from which produced and total allowable ameliorating material by more than 0.0675 gallon per gallon of juice and ameliorating material combined.

(3) Where wine is sweetened under the provisions of either subparagraph (1) or (2) of this paragraph, the gallons of wine before and after sweetening shall be determined and entered on the record provided for in § 240.908. Where wine is sweetened with pure dry sugar or liquid sugar, show in such record which of those was used.

(72 Stat. 1384, as amended; 26 U.S.C. 5383)

§§ 240.369-240.373 [Revoked]

PAR. 17. Sections 240.369, 240.370, 240.371, 240.372, and 240.373 are revoked.

PAR. 18. Section 240.374 is amended to delete the reference to reserve inventory and to prescribe requirements respecting the addition of wine spirits to wine, in general, and to ameliorated wine. As amended, § 240.374 reads as follows:

§ 240.374 General.

Grape wine spirits may be added only to natural grape wine of the proprietor's own production. The wine spirits may be added only in wine spirits addition tanks approved as provided in § 240.198. If the wine has been ameliorated, wine spirits may be added only if the juice or wine contains less than 14 percent of alcohol by volume at the time of such addition, unless wine spirits were previously added. The wine spirits will be procured as provided in Subpart PP of this part and will be added to the wine under the supervision of an internal revenue officer. The proprietor will advise the assistant regional commissioner, or other designated officer, in sufficient time that an internal revenue officer may be assigned. The assistant regional commissioner may permit the addition of wine spirits without supervision.

(72 Stat. 1381, 1382, 1383, as amended, 1384, as amended; 26 U.S.C. 5366, 5373, 5382, 5383)

PAR. 19. Section 240.402 is amended to delete the requirement that the liquid in fermenters must be reported as wine produced within 30 days after deposit therein or be transferred to intermediate storage, and to require that the quantity of liquid in fermenters at the close of each month shall be reported on Form 702. As amended, § 240.402 reads as follows:

§ 240.402 Crushing and fermentation.

Water added at the time of crushing, including that necessary to flush equipment, may not reduce the density of the juice below 22 degrees Brix, in the production of natural fruit wine: *Provided*, That if the total solids content of the juice is less than 23 degrees Brix, water used to flush equipment shall reduce the total solids content of the juice less than 1 degree Brix. (This limitation does not apply where water is used in the production of wine from high acid fruit; however, the limitations stated in § 240.407 are applicable.) Upon removal of wine from fermenters, the quantity of liquid will be determined accurately and recorded as wine produced. The quantity of liquid in fermenters at the close of each month shall be reported on Form 702 in the part of the form provided specifically therefor.

(72 Stat. 1381, 1383, as amended; 26 U.S.C. 5367, 5382)

PAR. 20. Section 240.406 is amended to provide for the production of fruit or berry wine with pure sugar or liquid sugar and to delete the reference to permanent storage. As amended, § 240.406 reads as follows:

§ 240.406 Use of pure dry sugar or liquid sugar.

A winemaker producing wine from fruit or berries, other than grapes, or from mixtures (which may include grapes) of two or more fruits or berries, with the addition of pure dry sugar or liquid sugar, but without water added to reduce acid content, may add such pure dry sugar or liquid sugar to the juice in the fermenters or to the wine after fer-

mentation: *Provided*, That such wine shall have less than 14 percent alcohol by volume after complete fermentation, or after complete fermentation and sweetening, and a total solids content not in excess of 21 percent by weight. The use of liquid sugar under this section shall be limited so that the resultant volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only. Where pure dry sugar or liquid sugar is added to the juice in the fermenters, the winemaker shall maintain a separate record thereof showing the kind and quantity of juice (exclusive of pulps) deposited in fermenters and the quantity of pure dry sugar or liquid sugar added thereto. Where wine produced as provided in this section is sweetened after complete fermentation with pure dry sugar or liquid sugar, the gallons of wine before and after sweetening shall be determined and entered on the record provided for in § 240.908. After completion of fermentation of the wine, wine spirits may be added thereto in accordance with the provisions of §§ 240.374 through 240.380.

(72 Stat. 1383, as amended, 1385, as amended; 26 U.S.C. 5382, 5384)

PAR. 21. Section 240.407 is amended to provide for the amelioration with liquid sugar of wine made from fruit, to authorize amelioration of such wines after fermentation, and to delete the reference to intermediate storage. As amended, § 240.407 reads as follows:

§ 240.407 Limitations on amelioration.

In producing wine from fruit other than grapes, or from mixtures (which may include grapes) of two or more fruits, if not made under § 240.406, the juice may be adjusted to correct for natural deficiencies by adding a sufficient quantity of pure dry sugar or liquid sugar to adjust the juice to a total solids content prior to fermentation of not more than 25 degrees Brix: *Provided*, That the pure dry sugar or liquid sugar so used shall not reduce the natural fixed acid in the corrected juice or wine to less than five parts per thousand: *Provided further*, That, if liquid sugar is so used, the volume of water contained therein shall be deducted from the volume of ameliorating material authorized to be used in the corrected juice or wine. Thereafter, there may be added to the juice or to the wine, or to both, ameliorating material consisting of either water, pure dry sugar, a combination of water and pure dry sugar, liquid sugar, or invert sugar syrup in such total volume as may be necessary to reduce the natural fixed acid content of the mixture of juice and such ameliorating material to a minimum of five parts per thousand. Where it is desired to so reduce the natural fixed acid content and to so adjust the total solids content of juice, the operations may be combined, and the pure dry sugar or liquid sugar for the adjustment of the total solids content may be mixed with the ameliorating material. The acid content shall be determined before fermentation, and calculated as malic acid for apple wine and as citric acid for other fruit wine. The volume of the amelio-

rating material shall not exceed 35 percent of the total volume of the ameliorated juice or wine (calculated exclusive of pulp), except that in the case of wine made exclusively from loganberries, currants, or gooseberries, the volume limitation shall be 60 percent. In determining the amount of ameliorating material permitted, the volume of the juice obtained after correction with pure dry sugar or liquid sugar within the 25 degrees limitation shall be used as a basis for the calculation. The ameliorating material may be added before, during, or after fermentation. Where ameliorating material is added after fermentation, the gallons of wine before and after such addition shall be determined and entered on the record provided for in § 240.908. See Subpart XX of this part for tables showing the maximum quantity in gallons of ameliorating material that may be added to each 1,000 gallons of juice (exclusive of pulp) based on the acid expressed in parts per thousand.

(72 Stat. 1385, as amended; 26 U.S.C. 5384)

PAR. 22. Section 240.408 is amended to delete the requirement that the liquid in fermenters must be reported as wine produced within 30 days after deposit therein or be transferred to intermediate storage, and to require that the liquid in fermenters at the close of each month shall be reported on Form 702. As amended, § 240.408 reads as follows:

§ 240.408 Record of production.

Upon removal from fermenters, in the production of wine under the provisions of § 240.406 or 240.407, the quantity of liquid will be determined accurately and recorded as wine produced. The quantity of liquid in fermenters at the close of each month shall be reported on Form 702 in the part of the form provided specifically therefor.

(72 Stat. 1381, 1385, as amended; 26 U.S.C. 5367, 5384)

PAR. 23. Section 240.409 is amended to prescribe procedures respecting the sweetening of natural fruit wine produced with the use of sugar. As amended, § 240.409 reads as follows:

§ 240.409 Sweetening of natural fruit wine produced with the use of sugar.

The provisions of § 240.368 respecting the sweetening of natural grape wine produced with the use of sugar shall be applicable to the sweetening of natural fruit wine produced with the use of sugar: *Provided*, That where such wine is sweetened with concentrated or unconcentrated juice, such juice shall be derived from the same kind of fruit: *Provided further*, That where natural fruit wine (other than grape) is sweetened under the provisions of § 240.368(b)(2), the total solids content of the finished wine may exceed 17 percent but shall not exceed 21 percent by weight, whether or not wine spirits have been added. The records required by § 240.368(b)(3), shall be applicable to the sweetening of natural fruit wine.

(72 Stat. 1384, as amended, 1385, as amended; 26 U.S.C. 5383, 5384)

§ 240.410 [Revoked]

PAR. 24. Section 240.410 is revoked.

PAR. 25. Section 240.411 is amended to delete the reference to reserve inventory. As amended, § 240.411 reads as follows:

§ 240.411 Addition of wine spirits.

To fruit wine produced from one kind of fruit under the provisions of § 240.401 or 240.407, wine spirits from the same kind of fruit may be added according to the procedures prescribed in §§ 240.374 through 240.380. Wine spirits may not be added to fruit wine made from mixtures of two or more fruits. Where the proprietor desires to add wine spirits made from the same kind of fruit to juice or concentrated juice, the provisions of §§ 240.382 and 240.383 (relative to the addition of wine spirits to grape juice or concentrated grape juice) shall be followed.

(72 Stat. 1382, 1383, as amended; 26 U.S.C. 5373, 5382)

PAR. 26. Section 240.430 is amended to change the reference to sugar solids of 15 percent by weight to total solids of 17 percent by weight and to delete the reference to reserve inventory. As amended, § 240.430 reads as follows:

§ 240.430 Production.

Specially sweetened natural wine is produced by adding to natural wine (including unfinished natural wine containing 14 percent or more of alcohol) of the proprietor's own production sufficient dry sugar, or juice, or concentrated juice of the same kind of fruit, separately or in combination, so that the finished product has a total solids content in excess of 17 percent by weight, a total solids content not over 35 percent by weight, and an alcohol content less than 14 percent by volume. The containers of unfinished natural wine having an alcohol content of 14 percent or more, held for the production of specially sweetened natural wine, will be marked to show the intended use. Natural wine containing added wine spirits may be used in the production of specially sweetened natural wine; however, wine spirits may not be added to specially sweetened natural wine.

(72 Stat. 1386, as amended; 26 U.S.C. 5385)

PAR. 27. Section 240.443 is amended to delete the reference to reserve inventory and the requirement that the liquid in fermenters must be reported as wine produced within 30 days after deposit therein or be transferred to intermediate storage, and to require that the liquid in fermenters at the close of each month shall be reported on Form 702. As amended, § 240.443 reads as follows:

§ 240.443 Production by fermentation.

If, in the production of special natural wine, the flavoring materials are added before or during fermentation, adequate precautions must be taken to prevent the accidental flavoring of other wine by contamination. Special natural wine made under this section may be ameliorated with pure dry sugar, water, or a combination of pure dry sugar and water, liquid sugar, or invert sugar syrup in

the same manner and to the same extent as natural wine made from the same fruit, as provided in Subpart P of this part in the case of grape wine, or Subpart Q of this part in the case of fruit wine. Wine spirits may not be added to special natural wine, except the wine spirits contained in authorized essences made on bonded wine cellar premises as provided in § 240.446, or approved essences made elsewhere. Retsina wine is an example of special natural wine made under this section. Upon removal of the wine from fermenters the quantity of liquid will be determined accurately and recorded as wine produced. The quantity of liquid in fermenters at the close of each month shall be reported on Form 702 in the part of the form provided specifically therefor.

(72 Stat. 1381, 1386; 26 U.S.C. 5367, 5386)

PAR. 28. Sections 240.463 and 240.464 are amended to qualify the maximum solids content as total solids content. As amended, §§ 240.463 and 240.464 read as follows:

§ 240.463 Honey wine.

In the production of wine from honey, a quantity of water may be added to facilitate fermentation, but the density of the mixture of honey and water shall not be reduced below 22 degrees (Brix). Hops may be added in quantities not to exceed one pound for each 1,000 pounds of honey, and pure dry sugar or honey may be added for sweetening. The product shall have an alcohol content less than 14 percent after complete fermentation or complete fermentation and sweetening, and a total solids content not more than 35 degrees (Brix). If the finished wine has a total solids content of more than 21 degrees (Brix), it must be removed under a designation showing that it is unusually sweet.

(72 Stat. 1386, 1387; 26 U.S.C. 5387, 5388)

§ 240.464 Other agricultural products.

In the production of wine from agricultural products other than those specified in §§ 240.461, 240.462, and 240.463, water and pure dry sugar or liquid sugar or invert sugar syrup may be added to the extent necessary to facilitate fermentation: *Provided*, That the total weight of pure dry sugar used for fermentation shall be less than the weight of the primary winemaking material and the density of the mixture prior to fermentation shall not be less than 22 degrees (Brix), if water, or liquid sugar, or invert sugar syrup is used. Additional sugar may be used for sweetening, provided the alcohol content of the finished wine after complete fermentation, or after complete fermentation and sweetening, shall be less than 14 percent by volume and the total solids content shall not be more than 35 degrees (Brix). If the finished wine has a total solids content of more than 21 degrees (Brix), it must be removed under a designation showing that it is unusually sweet.

(72 Stat. 1386, 1387; 26 U.S.C. 5387, 5388)

PAR. 29. Section 240.483 is amended to delete paragraph (b) and redesignate

paragraph "(c)" as paragraph "(b)." As amended, § 240.483 reads as follows:

§ 240.483 High fermentation wine.

High fermentation wine is a wine made within the limitations of § 240.365 for grape wine or § 240.405 for fruit wine, except (a) that the alcohol content after complete fermentation or complete fermentation and sweetening is 14 percent or more; and (b) that wine spirits may not be added. While high fermentation wine is not a natural wine or a standard wine, it may be produced, stored, and handled on standard wine premises, subject to appropriate marking or labeling.

(72 Stat. 1381, 1387; 26 U.S.C. 5364, 5388)

PAR. 30. Sections 240.488 and 240.634 are amended to change the reference to "kinds" of sugar to "sugar other than pure sugar". As amended, §§ 240.488 and 240.634 read as follows:

§ 240.488 Other wines.

Except as provided in §§ 240.483, 240.486 and 240.487, wine produced with sugar, water, liquid sugar, or invert sugar syrup beyond the limitations prescribed for standard wine, or wine made with sugar other than pure sugar, may be produced and stored only on premises qualified for that purpose and on which no standard wine is produced or stored. Upon removal, such wine shall be marked or labeled with a designation which will adequately disclose the nature and composition of the wine.

(72 Stat. 1381, 1387; 26 U.S.C. 5364, 5388)

§ 240.634 Marking of containers.

Each container removed, in addition to bearing the marks required by § 240.562, must be plainly marked "For Distilling Material" and show the kind or nature of the material, as standard grape (apple, peach, etc.) wine, or wine lees, raisin wine, etc., in order that the spirits distilled therefrom may be properly marked as to class and type. Where wine made with sugar other than pure sugar, or fermented with sugar in excess of the quantities authorized for a standard wine, is removed for distilling material, the composition of the material must be marked on the containers, and such wine may be transferred only to the production facilities of distilled spirits plants for the production of spirits other than wine spirits or brandy.

(72 Stat. 1364, 1381; 26 U.S.C. 5215, 5368)

§§ 240.906 and 240.907 [Revoked]

PAR. 31. Sections 240.906 and 240.907 are revoked.

PAR. 32. Section 240.908 is amended to delete the reference to wine in reserve. As amended, § 240.908 reads as follows:

§ 240.908 Form 2056, record of still wine.

Each proprietor of a bonded wine cellar who produces or receives still wine, other than distilling material or vinegar stock made with excess water, shall maintain a record of still wine on Form 2056, showing the quantities produced, received, removed, or used in effervescent

wine production. A separate Form 2056 shall be maintained for each tax class of still wine. In each tax class, transactions for all still wines (including special natural wine but not including distilling material or vinegar stock) shall be entered on a single record. At the end of each month the totals shown by Form 2056 shall be reported on Form 702.

(72 Stat. 1381; 26 U.S.C. 5367)

PAR. 33. Section 240.914 is amended to delete the requirement for showing tank or lot numbers of wine in which sugar is used and to delete the reference to reserve inventory. As amended, § 240.914 reads as follows:

§ 240.914 Sugar record.

Each proprietor receiving, storing, and using sugar shall keep a separate record of such receipt and use. The record shall show the date of receipt, from whom received, and the kind and quantity. Invoices covering purchases shall be retained in support of this record. When sugar is used for ameliorating or sweetening purposes, the record shall show the date, kind, and quantity used. The sugar record shall also show sugar used in the production of allied products and sugar removed from the premises. At the close of each month the account shall be balanced and the quantity of each kind of sugar remaining on hand shall be shown in such record.

(72 Stat. 1381; 26 U.S.C. 5367)

PAR. 34. A new section, § 240.914a, is added immediately following § 240.914 to prescribe requirements for a record of amelioration. As added, § 240.914a reads as follows:

§ 240.914a Record of amelioration.

(a) *General.* Each proprietor who ameliorates juice or wine shall maintain daily records of such amelioration. Separate records shall be kept for each kind of fruit or berries, including grapes. No form of record is prescribed, but the records maintained shall contain all data necessary to enable internal revenue officers to readily ascertain whether the limitations on amelioration have been complied with. All quantities shall be recorded in gallons, and, where dry sugar is used, the quantity shall be determined either by measuring the increase in volume or by considering that each 13.5 pounds of dry sugar results in a volumetric increase of one gallon. Each separate record shall include the following:

- (1) The quantity of juice (exclusive of pulp) deposited in fermenters.
- (2) For juice from fruit and berries, other than grapes, the maximum quantity of pure dry sugar or liquid sugar authorized for adjustment, as provided in § 240.407.
- (3) The maximum quantity of ameliorating material to which the juice is entitled, as provided in § 240.366 or 240.407, as applicable.
- (4) The quantity of ameliorating materials used, including pure dry sugar or liquid sugar used for adjustment of the total solids.

(5) The quantity of ameliorating material authorized but not yet used.

Supporting records shall be maintained showing the basis for entries and calculations, including determination of the natural fixed acid content and total solids content of juice, as applicable. At the close of each month, transactions respecting ameliorating materials including sugar used for adjustment of total solids shall be summarized, by kind of fruit or berries, including grapes, on Form 702, in the part of the form specifically provided therefor. The records of amelioration shall be maintained on the basis of annual accounting periods, with each period commencing on July 1 of a year and ending on June 30 of the following year: *Provided*, That the record for an accounting period shall be continued after June 30, where the juice or wine included therein is to be held after that date for completion of fermentation or amelioration. When the amelioration of wine included in the record for one accounting period is complete, the record shall be closed and any unused ameliorating material shall not be used. Wines included in the records for different accounting periods shall not be mixed with each other until the amelioration of both wines is complete.

(b) *Variation.* Notwithstanding the provisions of paragraph (a) of this section prohibiting the mixing of wines included in the records for different accounting periods, the assistant regional commissioner may, pursuant to written application, authorize a winemaker to mix such wines, before amelioration of such wines has been completed, when the assistant regional commissioner finds that the winemaker maintains such other records, in addition to those required by paragraph (a) of this section, as are necessary (1) to establish the quantity of unused authorized ameliorating material to which the resultant mixture would be entitled, and (2) to enable internal revenue officers to readily ascertain whether the limitations on amelioration have been complied with. Each application for variation under this paragraph shall be filed in duplicate, shall state the need for the variation, and shall describe the additional records to be maintained.

(72 Stat. 1381, 1385, as amended; 26 U.S.C. 5367, 5384)

PAR. 35. Section 240.915 is amended to delete the reference to Form 2054. As amended, § 240.915 reads as follows:

§ 240.915 Separate record of materials received and used.

Each proprietor producing wine shall maintain a separate record showing the receipt and use or other disposition of basic winemaking materials, such as fruit, juice or concentrated juice. Where juice, concentrated juice, or must is received from a concentrate plant, the record shall also show whether the identical volatile fruit flavor has been restored to such juice, concentrated juice, or must, and further, as to any such concentrated juice, its original density.

If volatile fruit-flavor concentrate is received for use in the cellar treatment of natural wine, as authorized in Subpart 0 of this part, the record shall also show the receipt of such concentrate, the fold of such concentrate, the percent of alcohol by volume contained therein, and the use or other disposition of such concentrate. The record must show the date of receipt, the quantity received, the name and address of the person from whom received, and the date of use or other disposition of the materials. Where materials are received from others, the invoices or commercial papers showing the receipt will be retained in chronological order in support of the record. If materials are received off bonded premises and subsequently transferred to the bonded premises, the record will be maintained only with respect to material received on the bonded premises and will show the date of transfer and quantity transferred, but the invoices or commercial papers covering the purchase of the materials will also be kept available for inspection. Where grapes (other fruit) received on the bonded premises are used in producing juice to be stored for future use or for removal, the record will show the quantities of grapes used and juice produced. Where fruit or juice is used to produce concentrated juice the record will show the quantity of fruit or juice used and the quantity of concentrated juice produced. The record must also show the use or other disposition of the juice or concentrated juice produced. At the close of each month the materials account will be balanced and the totals reported on Form 702.

(72 Stat. 1381; 26 U.S.C. 5367)

PAR. 36. The undersigned center heading immediately preceding § 240.972 is amended to read "Determination of Total Solids".

PAR. 37. Section 240.975 and its heading are amended to delete "and sugar solids" from the heading and the procedure for determining sugar solids from the text. As amended, § 240.975 reads as follows:

§ 240.975 Total solids in wine.

Total solids content of wine means the degrees Brix of the dealcoholized wine, and is approximately equal to the percent of solids by weight in the dealcoholized wine. The total solids may be determined by dealcoholizing a measured volume of wine, restoring to the original volume with water, and determining the degrees Brix of this solution according to the instructions in §§ 240.972 to 240.974.

PAR. 38. The undesignated center heading immediately preceding § 240.976 is amended to read "Use of Pure Dry Sugar or Liquid Sugar to Correct Juice (Other Than Grape) to 25 Degrees Brix".

PAR. 39. Sections 240.976 and 240.978 are amended to include the use of other pure dry sugars having a dextrose equivalent of 95 percent on a dry basis. As amended, §§ 240.976 and 240.978 read as follows:

§ 240.976 Instructions respecting the use of pure dry sugar.

Section 240.978 (Table IV) shows the pounds of pure dry sugar required to raise the total solids content of 1 gallon of juice to 25 degrees Brix with commercial dextrose (1 molecule of water of crystallization), cane or beet sugar, or other pure dry sugars having a dextrose equivalent of not less than 95 percent on a dry basis. This table shall be used in determining the quantity of pure dry sugar that may be added to fruit and berry juice to correct natural deficiencies in the juice.

§ 240.978 Table IV, showing pounds of sugar required to raise 1 gallon of juice to 25 degrees Brix and the resultant gallonage.

Table IV shows the pounds of cane or beet sugar and the pounds of commercial dextrose required to raise 1 gallon of juice to 25 degrees Brix, and the resultant gallonage. Where other pure dry sugars having a dextrose equivalent of not less than 95 percent on a dry basis are used, the pounds of commercial dextrose required to raise 1 gallon of juice to 25 degrees Brix shall be used to determine the pounds of such other pure dry sugars required to raise 1 gallon of juice to 25 degrees Brix.

TABLE IV

Brix of juice	Pounds cane or beet sugar	Resultant gallonage	Pounds commercial dextrose	Resultant gallonage
0.....	2.7760	1.2069	3.3625	1.2025
25.....	0	1.0000	0	1.0000

PAR. 40. New sections, §§ 240.978a, 240.978b, 240.978c, are added immediately following § 240.978 to provide, respectively, instructions, formula, and table, with respect to the use of liquid sugar for correction of natural deficiencies in juice of fruit or berries. As added, §§ 240.978a, 240.978b, and 240.978c read as follows:

§ 240.978a Instructions respecting the use of liquid sugar.

Section 240.978c (Table IVa) shows the specific gravity and pounds per gallon for various degrees of Brix, and the pounds of sugar per gallon and the water per gallon for various degrees ranging from 60 to 90 degrees of Brix. This table may be used with the formula prescribed in § 240.978b for determining the quantity of liquid sugar (sucrose solution) of any degrees of Brix required to correct natural deficiencies in the juice of fruit or berries. This table also may be, but it is not required to be, used with the formula prescribed in § 240.978b for determining the quantity of liquid sugar, other than sucrose solution, required to correct natural deficiencies in the juice of fruit or berries.

§ 240.978b Formula for determining the required quantity of liquid sugar to correct natural deficiencies in the juice of fruit or berries.

(a) *Formula.* The pounds of liquid sugar of any degree of Brix required to raise the degrees of Brix in 1 gallon of

juice to the desired degrees of Brix shall be determined by the following formula:

$$X = \frac{W(C-A)}{(B-C)}$$

where:

A = the Brix of the juice before correction;
B = the Brix of the liquid sugar to be used;
C = the desired Brix of the juice after correction;

W = the weight per gallon of the juice before correction; and

X = the pounds of liquid sugar to be added per gallon of juice to be corrected.

(b) *Example of use of formula.* Find the quantity of liquid sugar of 60 degrees Brix required to raise the total solids content of 500 gallons of juice from 12 degrees Brix to 25 degrees Brix.

- (1) A = 0.12
B = 0.60
C = 0.25
W = 8.72443 (weight from Table IVa)
 $X = \frac{8.72443(0.25-0.12)}{(0.60-0.25)}$
= 3.2405 lbs. liquid sugar;

thus

- (2) 3.2405×500 gallons juice
= 1620.25 lbs. liquid sugar; or

- 1620.25
(3) $\frac{10.725278}{10.725278}$ (weight of liquid sugar at 60° Brix, Table IVa)
= 151.05 gallons of liquid sugar.

§ 240.978c Table IVa, showing specific gravity and weight of 1 gallon of sucrose solution at 15.56° C. corresponding to degrees of Brix, and the pounds of sugar per gallon and gallons of water per gallon for 60 through 90 degrees of Brix.

TABLE IVa

Degrees Brix	Specific gravity ¹	Pounds per gallon	Sugar per gallon (lb.)	Water per gallon (gal.)
60.....	1.000000	8.32823		
61.....	1.003184	8.35475		
62.....	1.007063	8.38722		
63.....	1.011007	8.41990		
64.....	1.014958	8.45280		
65.....	1.018935	8.48592		
66.....	1.022940	8.51928		
67.....	1.026974	8.55288		
68.....	1.031036	8.58670		
69.....	1.035127	8.62078		
70.....	1.039246	8.65508		
71.....	1.043395	8.68963		
72.....	1.047573	8.72443		
73.....	1.051781	8.75947		
74.....	1.056020	8.79478		
75.....	1.060290	8.83034		
76.....	1.064589	8.86614		
77.....	1.068923	8.90224		
78.....	1.073286	8.93857		
79.....	1.077680	8.97517		
80.....	1.082107	9.01204		
81.....	1.086567	9.04918		
82.....	1.091058	9.08658		
83.....	1.095582	9.12426		
84.....	1.100138	9.16220		
85.....	1.104729	9.20044		
86.....	1.109352	9.23897		
87.....	1.114007	9.27779		
88.....	1.118694	9.31689		
89.....	1.123413	9.35626		
90.....	1.128164	9.39590		
60.....	1.287822	10.725278	6.4392	0.51513
61.....	1.293726	10.77448	6.5724	0.50455
62.....	1.299670	10.82391	6.7108	0.49387
63.....	1.305662	10.87370	6.8505	0.48309
64.....	1.311674	10.92393	6.9913	0.47220
65.....	1.317732	10.97437	7.1333	0.46121
66.....	1.323829	11.02512	7.2766	0.45010
67.....	1.329965	11.07625	7.4211	0.43889
68.....	1.336130	11.12767	7.5668	0.42756
69.....	1.342332	11.17941	7.7138	0.41613
70.....	1.348565	11.23143	7.8620	0.40458
71.....	1.354833	11.28380	8.0115	0.39292
72.....	1.361122	11.33650	8.1623	0.38114
73.....	1.367500	11.38960	8.3144	0.36925
74.....	1.373904	11.44328	8.4678	0.35724
75.....	1.380335	11.49650	8.6224	0.34512
76.....	1.386811	11.55024	8.7784	0.33286
77.....	1.393334	11.60450	8.9357	0.32049
78.....	1.399900	11.65939	9.0944	0.30800

TABLE IVa—Continued

Degrees Brix	Specific gravity ¹	Pounds per gallon	Sugar per gallon (lb.)	Water per gallon (gal.)
79.....	1.406583	11.71437	9.2543	0.29538
80.....	1.413214	11.76957	9.4157	0.28264
81.....	1.419880	11.82587	9.5783	0.26978
82.....	1.426585	11.88328	9.7424	0.25679
83.....	1.433327	11.94077	9.9078	0.24367
84.....	1.440106	11.99934	10.0746	0.23042
85.....	1.446923	12.05808	10.2428	0.21704
86.....	1.453774	12.11734	10.4123	0.20353
87.....	1.460664	12.16746	10.5833	0.18989
88.....	1.467589	12.22241	10.7557	0.17611
89.....	1.474550	12.28032	10.9295	0.16220
90.....	1.481547	12.33864	11.1048	0.14815

¹ Specific gravity of a sucrose solution at 15.56°/15.56° C., calculated from Table 12 of Bureau of Standards Circular No. 19 with use of the factors given in Table 25 thereof.

[F.R. Doc. 65-13064; Filed, Dec. 6, 1965; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 907]

NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Expenses and Rate of Assessment for 1965-66 Fiscal Year

Consideration is being given to the following proposals submitted by the Navel Orange Administrative Committee, established under Marketing Agreement No. 117, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof: (1) That the expenses that are reasonable and likely to be incurred by the Navel Orange Administrative Committee during the period from November 1, 1965, through October 31, 1966, will amount to \$290,000 and (2) that there be fixed, at \$0.01 per carton of oranges, the rate of assessment payable by each handler in accordance with § 907.41 of the aforesaid marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: December 2, 1965.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-13077; Filed, Dec. 6, 1965; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 240, 249]

[Release No. 34-7756]

WITHDRAWAL FROM REGISTRATION

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to amend its Rule 15b6-1 (17 CFR § 240.15b6-1) under the Securities Exchange Act of 1934 (Exchange Act) to require that notice of withdrawal from registration as a broker-dealer be filed on a new form to be designated Form BDW (17 CFR § 249.501a) in accordance with the instructions thereon. The amendment would also provide for a 60 day waiting period between the filing date and the effective date unless acceleration is granted or proceedings pursuant to section 15(b) of the Act are pending or are instituted, in which event the notice of withdrawal would not become effective except at such time and upon such terms and conditions as the Commission deems necessary or appropriate in the public interest or for the protection of investors. This action would be taken under the Exchange Act, particularly sections 15(b), 17(a), and 23(a) thereof.

Form BDW (17 CFR § 249.501a) would require the broker-dealer seeking to withdraw from registration to furnish specified information: (a) Whether he owes any money or securities to any customer, broker, or dealer, and if he does, the amount involved and the arrangements made for payment (in this case he would also have to furnish a current report of financial condition); (b) whether he is involved in any actions or proceedings and whether there are any unsatisfied judgments or liens against him; (c) the name and address of the person who will have custody or possession of his books and records required to be preserved under Rule 17a-4 (17 CFR § 240.17a-4); and (d) the address where such books and records will be located. This information will help the Commission to determine whether it is necessary in the public interest or for the protection of investors, particularly customers of the broker-dealer, to impose terms and conditions on the withdrawal of registration. Section 15(b) of the Act provides that the Commission may impose such terms and conditions as it deems necessary for such purpose.

The Form BDW would also contain a consent by the withdrawing broker-dealer to make the books and records he is required to preserve by Rule 17a-4 (17 CFR § 240.17a-4) available for examination by authorized members of the Commission's staff and an authorization to the custodian of such books and records to make them so available.

At the present time, Rule 15b6-1 (17 CFR § 240.15b6-1) provides that a notice of withdrawal will become effective on the 30th day after filing unless proceedings to revoke or suspend are pending, or

the Commission, within the 30 day period, institutes proceedings. It has been found that 30 days are not sufficient to complete an investigation if one is required, and to institute proceedings in appropriate cases. It is believed that the proposed amendments will enable the Commission to carry out its responsibilities under the Exchange Act more effectively in the public interest and for the protection of investors.

The text of the proposed rule would be substantially as follows:

§ 240.15b6-1 Withdrawal from registration.

(a) Notice of withdrawal from registration as a broker or dealer pursuant to section 15(b) shall be filed on Form BDW in accordance with the instructions contained therein.

(b) Except as hereinafter provided, a notice to withdraw from registration filed by a broker or dealer pursuant to section 15(b) shall become effective on the 60th day after the filing thereof with the Commission or within such shorter period of time as the Commission may determine. If a notice to withdraw from registration is filed with the Commission at any time subsequent to the date of the issuance of a Commission order instituting proceedings pursuant to section 15(b) to censure, suspend, or revoke the registration of such broker or dealer, or if prior to the effective date of the notice of withdrawal the Commission institutes such a proceeding or a proceeding to impose terms or conditions upon such withdrawal, the notice of withdrawal shall not become effective except at such time and upon such terms and conditions as the Commission deems necessary or appropriate in the public interest or for the protection of investors.

(c) Every notice of withdrawal filed pursuant to this section shall constitute a "report" within the meaning of sections 15(b) and 17(a) and other applicable provisions of the Act.

(Secs. 15(b), 17(a), 23(a); 48 Stat. 895, 897, 901, as amended; 15 U.S.C. 78b, 78q, 78w)

In connection with proposed Rule 15b6-1 (17 CFR § 240.15b6-1), it is proposed that Subpart F of Part 249 of Chapter II of Title 17 of the Code of Federal Regulations by adding § 249.501a, as follows:

§ 249.501a Form BDW, Notice of withdrawal from registration as broker-dealer pursuant to § 240.15b6-1.

(Copies of this form have been filed with the original of this document. Additional copies can be obtained from the Securities and Exchange Commission, Washington, D.C., 20549.)

(Secs. 15(b), 17(a), 23(a); 48 Stat. 895, 897, 901, as amended; 15 U.S.C. 78b, 78q, 78w)

All interested persons are invited to submit their views and comments on the proposed amendments and form, in writing, to the Securities and Exchange Commission, Washington, D.C., 20549, on or before December 21, 1965. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

NOVEMBER 30, 1965.

[F.R. Doc. 65-13051; Filed, Dec. 6, 1965;
8:47 a.m.]

DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 121, 130, 144]

EDIBLE PRODUCTS OF ANIMALS TREATED WITH EXPERIMENTAL DRUGS, ANTIBIOTICS, FOOD AD- DITIVES; VETERINARY NEW DRUGS FOR INVESTIGATIONAL USE

Revised Proposals Based on Comments on Prior Notices

In the matter of amending the new-drug regulations to prescribe conditions under which new drugs for use in animals may be distributed for laboratory or clinical testing and exempted for investigational use and prescribing conditions regulating the use for food purposes of edible products from test animals:

The comments received in response to the notices of proposed rule making in the above-identified matter published in the FEDERAL REGISTER of June 19, 1964 (29 F.R. 7823, 7824), have been studied, and the Commissioner of Food and Drugs pursuant to the authority provided in the Federal Food, Drug, and Cosmetic Act (secs. 409, 505, 701(a), 52 Stat. 1052 as amended, 1055; 72 Stat. 1785; 21 U.S.C. 348, 355, 371(a)), and delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.90), has concluded that revised proposals should be published, as follows:

1. It is proposed to revise § 121.75 to read as follows:

§ 121.75 Exemption for investigational use and procedure for obtaining authorization to market edible products from experimental animals.

A food additive, including one that is a new drug or antibiotic, or foods containing such a food additive, intended for investigational use by qualified experts shall be exempt from the requirements of section 409 of the act under the following conditions:

(a) If intended for investigational use in vitro or with laboratory research animals, it bears a label which states prominently, in addition to other information required by the act:

Caution—Contains a new food additive (or new drug, or antibiotic). For investigational use only. Not for use in humans. To be used only for feeding or treating laboratory research animals, or for tests in vitro.

(b) If intended for clinical investigational use in animals other than laboratory research animals, and the edible products of the animals are to be marketed as food, permission for the marketing of the edible products as food

has been requested by the sponsor, and authorization has been granted by the Food and Drug Administration in accordance with § 130.3a of this chapter, or by the Department of Agriculture in accordance with § 309.20 of Title 9, Code of Federal Regulations, and it bears a label which states prominently, in addition to other information required by the act:

Caution—Contains a new food additive (or new drug, or antibiotic). For investigational use only. Not for use in humans. To be used only for feeding or treating experimental animals in clinical trials.

Caution—Edible products of experimental animals are not to be used for food unless authorization has been granted by the U.S. Food and Drug Administration in accordance with § 130.3a of Title 21 of the Code of Federal Regulations, or by the U.S. Department of Agriculture in accordance with § 309.20 of Title 9, Code of Federal Regulations.

2. It is proposed to amend § 130.1 by adding the following new paragraphs:

§ 130.1 Definitions and interpretations.

(i) "Animals used only for laboratory research" and "laboratory research animals" mean animals of any species used solely for laboratory research purposes, and does not include animals used for any food purposes or animals intended to be kept as domestic pets or livestock.

(j) The term "sponsor" means the person or agency who assumes responsibility for an investigation of a new drug, including responsibility for compliance with applicable provisions of the act and regulations. The "sponsor" may be an individual, partnership, corporation, or Government agency and may be a manufacturer, scientific institution, or an investigator regularly and lawfully engaged in the investigation of new drugs.

3. It is proposed to amend § 130.3 in the following respects:

a. By changing the section heading to read:

§ 130.3 New drugs for investigational use in human beings; exemptions from section 505(a).

b. By revoking paragraph (f), which is reserved.

4. It is proposed to amend Part 130 by adding the following new section:

§ 130.3a New drugs for investigational use in animals; exemptions from section 505(a).

(a) *New drugs for tests in vitro and in laboratory research animals.* (1) A shipment or other delivery of a new drug intended solely for tests in vitro or in animals used only for laboratory research purposes shall be exempt from section 505(a) of the act if it is labeled as follows:

Caution—Contains a new drug. For investigational use only. Not for use in humans. To be used only for feeding or treating laboratory research animals, or for tests in vitro.

(2) The person or firm shipping new drugs for tests in vitro or in animals used only for laboratory research purposes under this exemption shall use due

diligence to assure that the consignee is regularly engaged in conducting such tests and that the shipment of the new drug will actually be used for tests in vitro or in animals used only for laboratory research.

(3) The person who introduced such shipment or who delivered the drug for introduction into interstate commerce shall maintain adequate records showing the name and post-office address of the expert to whom the drug is shipped, date, quantity, and batch or code mark of each shipment and delivery for a period of 2 years after such shipment and delivery. Upon the request of a properly authorized employee of the Department at reasonable times, he shall make such records available for inspection and copying.

(4) The exemption allowed in this paragraph shall not apply to any new drug intended for in vitro use in the regular course of diagnosing or treating disease, including antibacterial sensitivity discs impregnated with any new drug or drugs, which discs are intended for use in determining susceptibility of microorganisms to the new drug or drugs.

(b) *New drugs for clinical investigation in animals.* A shipment or other delivery of a new drug intended for clinical investigational use in animals shall be exempt from section 505(a) of the act if all the following conditions are met:

(1) The label shall bear the statements:

Caution—Contains a new drug. For investigational use only. Not for use in humans. To be used only for feeding or treating experimental animals in clinical trials.

Caution—Edible products of experimental animals are not to be used for food unless authorization has been granted by the U.S. Food and Drug Administration in accordance with § 130.3a of Title 21 of the Code of Federal Regulations, or by the U.S. Department of Agriculture in accordance with § 309.20 of Title 9, Code of Federal Regulations.

(2) The person or firm shipping the new drug shall use due diligence to assure that the drug will actually be used for tests in animals and not in humans.

(3) The person who introduced such shipment or who delivered the drug for introduction into interstate commerce shall maintain adequate records showing the name and post-office address of the investigator to whom the drug is shipped, date, quantity, and batch or code mark of each shipment and delivery for a period of 2 years after such shipment and delivery. Upon the request of a properly authorized employee of the Department at reasonable times such records shall be made available for inspection and copying.

(4) Prior to the shipment of the drug for clinical tests in animals, the sponsor of the investigation shall submit in triplicate to the Food and Drug Administration a signed statement containing the following information:

- (i) The identity of the drug.
- (ii) All labeling and other pertinent information to be supplied to the investigators.
- (iii) The name and address of each clinical investigator.

(iv) The approximate number of animals to be treated (or if not available, the amount of drug to be shipped).

(v) If the drug is given to food-producing animals, the application or a supplemental statement shall contain the following additional information:

(a) A commitment that the edible products from such animals shall not be used for food without prior authorization in accordance with § 121.75 of this chapter, from the Commissioner of Food and Drugs.

(b) Approximate dates of the beginning and end of the experiment or series of experiments.

(c) The method and duration of administration, including the dosage form of the drug, and proposed withdrawal time, if any.

(5) Authorization for use of edible products derived from a treated food-producing animal may be granted under the provisions of § 121.75 of this chapter when the following specified conditions are met, except that in the case of an animal administered any unlicensed experimental veterinary biological product regulated under the viruses, serums, toxins statute (21 U.S.C., Chapter V, sec. 151 et seq.) the product shall be exempt from the requirements of this section and § 121.75 when U.S. Department of Agriculture approval has been obtained as provided in § 103.2 of Title 9, Code of Federal Regulations. Information required for authorization shall include, in addition to all other requirements of this section, the following:

(i) Data to show that consumption of edible products that may contain drug residues or their metabolites will not be inconsistent with the public health; or

(ii) Data to show that food derived from such animals does not contain drug residues or their metabolites.

(iii) The name and location of the packing plant where the animals will be processed, except that this requirement may be waived, on request, by the terms of the authorization.

(6) On written request of the Food and Drug Administration, the sponsor shall submit any additional information with respect to the investigation deemed necessary to facilitate a determination of whether there are grounds in the interest of public health for terminating the exemption.

(7) The sponsor shall assure himself that the drug is shipped only to investigators who:

(i) Are qualified by scientific training and/or experience to evaluate the safety and/or effectiveness of the drug.

(ii) Shall maintain complete records of the investigations.

(iii) Shall furnish adequate and timely reports of the investigation to the sponsor.

(8) The sponsor:

(i) Shall retain all reports received from investigators for 2 years after the termination of the investigation or approval of a new-drug application and make such reports available to a duly authorized employee of the Department for inspection at all reasonable times.

(ii) Shall provide for current monitoring of the investigation by a person qualified by scientific training and experience to evaluate information obtained from the investigation, and shall promptly investigate and report to the Food and Drug Administration and to all investigators any findings associated with use of the drug that may suggest significant hazards pertinent to the safety of the drug.

(iii) Shall not unduly prolong distribution of the drug for investigational use.

(iv) Shall not, nor shall any person acting for or on behalf of the sponsor, represent that the drug is safe or effective for the purposes for which it is under investigation. This requirement is not intended to restrict the full exchange of scientific information.

(v) Shall not commercially distribute nor test-market the drug until a new-drug application is approved pursuant to section 505(c) of the act.

(9) If the shipment or other delivery of the new drug is imported or offered for importation into the United States for clinical investigational use in animals, it shall also meet the following conditions:

(i) The importer of all such shipments or deliveries is an agent of the foreign exporter residing in the United States or the ultimate consignee, which person has, prior to such shipments and deliveries, informed the Food and Drug Administration of his intention to import the new drug as sponsor in compliance with the conditions prescribed in this subdivision; or

(ii) The drug is shipped directly to a scientific institution with adequate facilities and qualified personnel to conduct laboratory or clinical investigations and is intended solely for use in such institutions and which institution has submitted a statement as sponsor of the investigation.

(10) If the Commissioner of Food and Drugs finds that:

(i) The sponsor of the investigation has failed to comply with any of the conditions for the exemption established in this subsection; or

(ii) The continuance of the investigation is unsafe or otherwise contrary to the public interest or the drug is used for purposes other than bona fide scientific investigation;

He shall notify the sponsor and invite his immediate correction. A conference will be arranged if requested. If the conditions of the exemption are not immediately met, the Commissioner shall notify the sponsor of the termination of the exemption and the sponsor shall recall or have destroyed the unused supplies of the drug.

(11) Where drugs were under clinical trial on or after the effective date of this section, the sponsor shall, within 120 days after such effective date, submit to the Food and Drug Administration the signed statement described in subparagraph (4) of this paragraph or a statement explaining why the investigation has been discontinued.

§ 144.8 [Amended]

5. It is proposed to amend § 144.8 by changing the citation "§ 130.3" to read "§ 130.3 or § 130.3a" in both places at which it occurs.

The Commissioner hereby offers an opportunity to any interested person to submit views and comments on this proposal within 60 days from the date of its publication in the FEDERAL REGISTER. Views and comments on this new proposal should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: November 26, 1965.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 65-13071; Filed, Dec. 6, 1965;
8:47 a.m.]

Office of Education [45 CFR Part 170]

FEDERAL SHARE OF COST OF PROJECTS FOR PUBLIC COMMUNITY COLLEGES AND PUBLIC TECHNICAL INSTITUTES

Basic Criteria; Notice of Proposed Rule Making

Heretofore, the Federal share of the development cost of projects under Title I of the Higher Education Facilities Act of 1963 for public community colleges and public technical institutes was fixed by the Act at 40 percent, as reflected by the provisions of § 170.16(a) of the Federal Regulations covering the administration of the program (45 CFR Part 170). However, under recent amendments to the Higher Education Facilities Act (effected by the Higher Education Act of 1965 (P.L. 89-329)), the Act now provides that Federal share of the development cost of such projects shall not exceed 40 percent of such cost, but may be less than 40 percent of such cost. Unless a uniform statewide Federal share is provided for in the State plan, such plan must include objective standards and methods for determining the Federal share of the cost of such projects. Such standards and methods must, under the Act, conform to the basic criteria prescribed by the Commissioner by regulation.

Accordingly, pursuant to section 4 of the Administrative Procedures Act (5 U.S.C. 1003), notice is hereby given in accordance with such section that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to prescribe by regulation that the criteria to which State plan provisions for determining the Federal share of the cost of projects for public community colleges and public technical institutes must conform will be the same criteria to which State plan provisions for determining the Federal share of the cost of projects

for institutions of higher education other than public community colleges and public technical institutes must, by regulation, now conform.

The following regulation, proposed to be issued pursuant to section 107 of the Act, would, by replacing § 170.16 of the current regulations, accomplish this end.

§ 170.16 Criteria for standards and methods to determine Federal shares of eligible projects.

(a) Unless the Federal share is specified in the State plan as a uniform percentage of the costs eligible for Federal financial participation, the State plan shall prescribe the standards and methods in accordance with which the State commission shall determine the Federal share of such costs, but in no event may the Federal share with respect to construction projects for public community colleges and public technical institutes exceed 40 percent, or the Federal share of any project with respect to an institution of higher education other than a public community college or public technical institute exceed 33 1/3 percent, of such cost.

(b) Standards and methods for determining the Federal share pursuant to paragraph (a) of this section: (1) Must be objective and simple to apply; (2) may involve the use only of data which are to be submitted on the application form prescribed by the Commissioner, required by the State commission to be submitted in connection with the filing of an application, or contained in reports or publications readily available to the State commission and the institutions of higher education within the State; (3) must be such as will enable an applicant to calculate in advance (on the assumption that sufficient funds will be available to cover all applications) the estimated Federal share which the State commission will certify to the Commissioner if it recommends the project for a Federal grant; and (4) must be consistent with the criteria published by the Commissioner with respect to the determination of relative priorities among projects and be promotive of the purposes of the Act.

Prior to official adoption of the proposed criteria for standards and methods for determining the Federal share of projects for public community colleges and public technical institutes, consideration will be given to any written data, views or arguments pertaining thereto which are filed with the Commissioner of Education, U.S. Department of Health, Education, and Welfare, Office of Education, Washington, D.C., within 20 days from the date of publication of this notice.

Dated: November 17, 1965.

[SEAL] HENRY LOOMIS,
Acting Commissioner of Education.

Approved: December 1, 1965.

JOHN W. GARDNER,
Secretary of Health, Education,
and Welfare.

[F.R. Doc. 65-13069; Filed, Dec. 6, 1965;
8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Antidumping—AA 643.3-H]

CAST IRON SOIL PIPE FROM POLAND

Antidumping Proceeding Notice

DECEMBER 1, 1965.

On November 3, 1965, the Commissioner of Customs received information in proper form pursuant to the provisions of § 14.6(b) of the customs regulations indicating a possibility that cast iron soil pipe and fittings for cast iron soil pipe imported from Poland are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Ordinarily, merchandise is considered to be sold at less than fair value when the net, f.o.b. factory price for exportation to the United States is less than the net, f.o.b. factory price to purchasers in the home market, or, where appropriate, to purchasers in other countries, after due allowance is made, for differences in quantity and circumstances of sale.

A summary of the information received is as follows:

The net price for export to the United States for cast iron soil pipe and fittings for cast iron soil pipe from Poland is substantially lower than the net price for the same type of cast iron soil pipe and fittings from noncontrolled economy countries, suggesting a possibility of sales at less than fair value within the meaning of the Antidumping Act.

In order to establish the validity of the information, the Bureau of Customs is instituting an inquiry pursuant to the provisions of § 14.6(d) (1) (ii), (2) and (3) of the customs regulations.

The information was submitted by the Cast Iron Soil Pipe Institute, Washington, D.C.

This notice is published pursuant to § 14.6(d) (1) (i) of the customs regulations (19 CFR 14.6(d) (1) (i)).

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 65-13065; Filed, Dec. 6, 1965;
8:47 a.m.]

Office of the Secretary

INTEREST EQUALIZATION TAX

President's Intention To Terminate Less Developed Country Designation of Certain Countries

The President has authorized me to state that it is his intention to notify the Senate and House of Representatives on or shortly after January 10, 1966, of

his intention to terminate the designation of certain countries as less developed countries for purposes of the Interest Equalization Tax.

Pursuant to section 4916 of the Internal Revenue Code of 1954 and Executive Order Numbered 11224 dated May 14, 1965, certain countries have been designated as less developed countries for purposes of the Interest Equalization Tax. Subsection (b) of section 4916 provides that the President shall not terminate the designation of any country as a less developed country unless, at least 30 days before such termination, he has notified the Senate and the House of Representatives of his intention to terminate such designation.

In accordance with subsection (b) of section 4916 of the Internal Revenue Code, the President intends to issue an Executive order which will have the effect of terminating the designation of the following as less developed countries for purposes of the Interest Equalization Tax:

Abu Dhabi.
Bahrain.
Indonesia.
Iran.
Iraq.

Kuwait—Saudi Arabia
Neutral Zone.
Libya.
Qatar.
Saudi Arabia.

Such Executive order will apply to all acquisitions of stock or debt obligations made on or after the date of its filing with the Federal Register, unless made pursuant to a fixed commitment which was undertaken prior to December 7, 1965. Acquisitions made pursuant to such fixed commitments will retain their present right to be excluded from the Interest Equalization Tax.

[SEAL]

HENRY H. FOWLER,
Secretary of the Treasury.

[F.R. Doc. 65-13168; Filed, Dec. 6, 1965;
11:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration HERCULES POWDER CO.

Notice of Filing of Petition for Food Additive Modified Polyacrylamide Resin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 5A1607) has been filed by Hercules Powder Co., 910 Market Street, Wilming-

ton, Del., 19899, proposing the issuance of a regulation to provide for the safe use of a modified polyacrylamide resin, containing less than 0.2 percent residual acrylamide, manufactured by the copolymerization of acrylamide with not more than 5 mole percent β -methacryloxyethyltrimethylammonium methyl sulfate as a flocculant in the clarification of beet sugar juice or cane sugar juice.

Dated: November 29, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-13073; Filed, Dec. 6, 1965;
8:47 a.m.]

CAV. GEOM. V. NINO FORNACIARI

Notice of Filing of Petition Regarding Color Additive Grape Skin Extract

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 403; 21 U.S.C. 376(d)), notice is given that a petition (CAP 25) has been filed by Cav. Geom. V. Nino Fornaciari, Milano, Italy, c/o Mr. Arthur A. Vioni, Attorney, 99 Joralemon Street, Brooklyn, N.Y., 11201, proposing the issuance of a regulation to provide for the safe use and exemption from certification of grape skin extract (enocianina) as a color for still and carbonated drinks and ades, beverage bases, and alcoholic beverages.

Dated: November 29, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-13072; Filed, Dec. 6, 1965;
8:47 a.m.]

HESS & CLARK, DIVISION OF RICHARDSON-MERRELL, INC.

Notice of Filing of Petition for Food Additives Furazolidone and Low-Level Antibiotics

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 5C1579) has been filed by Hess & Clark, Division of Richardson-Merrell, Inc., Ashland, Ohio, 44805, proposing that § 121.255 Furazolidone be amended to provide for the safe use of furazolidone with low-level antibiotics in swine feed by redesignating item 3 in the table in paragraph (c) as item 4 and changing item 2 to items 2 and 3, as follows:

FURAZOLIDONE IN ANIMAL FEED

Principal ingredient	Grams per ton	Combined with	Grams per ton	Limitations	Indications for use
1. ***	***	***	***	***	***
2. Furazolidone..	100			For swine, as follows: 100 grams per ton; feed no less than 5 weeks.	Maintenance of weight gain and feed efficiency in the presence of bacterial enteritis, (necrotic enteritis, necro) in swine; for growth promotion while on medication.
a. Furazolidone.	100	Bacitracin.....	10-50	As bacitracin, bacitracin methylene disulphate, zinc bacitracin, or manganese bacitracin.	Growth promotion and feed efficiency.
b. Furazolidone.	100	Chlortetracycline..	10-50	As chlortetracycline hydrochloride.	Do.
c. Furazolidone.	100	Penicillin.....	10-15	As procaine penicillin...	Do.
d. Furazolidone.	100	Penicillin plus streptomycin.	9-50	Not less than 1.5 grams of penicillin and not less than 7.5 grams of streptomycin.	Do.
3. Furazolidone..	150-200			For swine, as follows: 150 gm. per ton for 3 weeks, or 200 gm. per ton for 2 weeks.	Prevention of bacterial enteritis (necrotic enteritis, necro) and vibronic (bloody) dysentery; growth promotion while on medication.
4. ***	***	***	***	***	***

Dated: November 29, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-13074; Filed, Dec. 6, 1965; 8:47 a.m.]

TENNECO CHEMICALS, INC.,
NEWPORT DIVISIONNotice of Filing of Petition for Food
Additive Chewing Gum Base

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 6A1819) has been filed by Tenneco Chemicals, Inc., Newport Division, Post Office Drawer 911, Pensacola, Fla., 32502, proposing that § 121.1059 *Chewing gum base* be amended to provide for the safe use of synthetic terpene resins consisting of polymers of α -pinene or dipentene as plasticizing materials in chewing gum base.

Dated: November 29, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.[F.R. Doc. 65-13075; Filed, Dec. 6, 1965;
8:47 a.m.]Office of the Secretary
PUBLIC HEALTH SERVICEStatement of Organization and
Delegations of Authority

The Statement of Organization and Delegations of Authority of the Department of Health, Education, and Welfare (22 F.R. 1245, as amended by 28 F.R. 10433, 10688, 11647, and 13374, 29 F.R. 12482 and 18182, and 30 F.R. 7296), is hereby amended as follows:

Section 4.20, paragraph b, is amended by adding a new subparagraph as follows:

(19) The functions vested in the Secretary by sections 204, 205, 206, 207, and

209 of the Solid Waste Disposal Act,
P.L. 89-272.[SEAL] JOHN W. GARDNER,
Secretary, Department of Health,
Education, and Welfare.

DECEMBER 1, 1965.

[F.R. Doc. 65-13076; Filed, Dec. 6, 1965;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Riverside 07049]

CALIFORNIA

Order Opening Lands to Entry and
Patenting

NOVEMBER 29, 1965.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

SAN BERNARDINO MERIDIAN

T. 15½ N., R. 16 E.,
Sec. 36, A11,
T. 15 N., R. 17 E.,
Sec. 16, A11.

The areas described aggregate 1280 acres.

2. The lands are situated in the desert region of northeastern San Bernardino County, about 1½ miles from the Nevada State line. Sections 36 and 16 are located approximately 3 and 14 miles, respectively, south of the town of Nipton to Searchlight Highway. Access to both sections is not readily accessible by road except by four-wheel drive vehicles.

Both sections are located within a large block of public lands designated as a reclamation area and are similar in character to surrounding lands suitable primarily for grazing and open space. Vegetation consists of low growing desert shrubs and annual grasses. Topography is mountainous. All mineral rights have been reserved to the State of California.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to application, petition and selection. All valid applications received at or prior to 10 a.m. on January 3, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Riverside District and Land Office, Bureau of Land Management, 1414 Eighth Street, Post Office Box 723, Riverside, Calif., 92502.

HALL H. McCLAIN,
Manager.[F.R. Doc. 65-13042; Filed, Dec. 6, 1965;
8:46 a.m.]

CHIEF, BRANCH OF LANDS, ET AL.

Redelegation of Authority

1. Pursuant to section 2.1, Bureau Order No. 701 of July 23, 1964, as amended, the following authority is hereby delegated to the Branch Chiefs of the Division of Lands and Minerals Program Management and Land Office to become effective immediately upon publication in the FEDERAL REGISTER.

(a) Chief, Branch of Lands, authority to take action for the Chief, Division of Lands and Minerals Program Management and Land Office, in matters listed in section 2.5(b)(c) and 2.9 of Part II, Bureau Order No. 701, supra.

(b) Chief, Branch of Minerals, authority to take action for the Chief, Division of Lands and Minerals Program Management and Land Office, in matters listed in section 2.2(b), Cancellations or surrenders of contracts and leases, except oil and gas leases; section 2.6 (except 2.6(a) and (h)); and section 2.9(x) of Part II of Bureau Order No. 701, supra.

(c) Chief, Branch of Oil and Gas, authority to take action for the Chief, Division of Lands and Minerals Program Management and Land Office in matters listed in section 2.2(b) only as to relinquished oil and gas leases pursuant to section 30(b) of the Act of March 25, 1920 (41 Stat. 437; 30 U.S.C. 178(b)); section 2.2(c) only to the extent set out in 43 CFR 1852.1-7(a); and section 2.6(a) and (h) of Part II, Bureau Order No. 701, supra.

(d) Chief, Branch of Title and Records, authority to take action for the Chief, Division of Lands and Minerals Program Management and Land Office, in matters listed in sections 2.2(c), 2.2(k); section 2.3(c); and section 2.4(a) (4) of Part II, Bureau Order No. 701 and Amendment No. 1, supra.

2. The authority delegated in paragraph 1 above may not be redelegated.

3. This redelegation of authority supersedes all previous redelegations.

MICHAEL T. SOLAN,
Chief, Division of Lands and
Minerals, Program Manage-
ment and Land Office.

Approved: November 30, 1965.

W. J. ANDERSON,
State Director, New Mexico.

[F.R. Doc. 65-13043; Filed, Dec. 6, 1965;
8:46 a.m.]

Fish and Wildlife Service

[Docket No. G-353]

HERBERT H. HUNTER, JR.

Notice of Loan Application

Herbert H. Hunter, Jr., Star Route, Box 5, Brownsville, Tex., 78520, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 61.6-foot registered length wood shrimp trawler to engage in the fishery for shrimp in the Gulf of Mexico.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic injury or hardship.

H. E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

DECEMBER 2, 1965.

[F.R. Doc. 65-13066; Filed, Dec. 6, 1965;
8:47 a.m.]

National Park Service

[Order No. 2, Amdt. 1]

HARPERS FERRY NATIONAL HISTORICAL PARK, W. VA.

Job Corps Conservation Center Director; Delegations of Authority Regarding Execution of Purchase Orders for Supplies, Equipment or Services

2. Job Corps Conservation Center Director. The Job Corps Conservation Center Director may issue Purchase Orders not in excess of \$2,500.00 for supplies, equipment or services in conformity with applicable regulations and statu-

tory authority and subject to the availability of appropriations.

(National Park Service Order 14 (19 F.R. 3824), as amended; 39 Stat. 535, 16 U.S.C. sec. 2, Northeast Region Order 4 (29 F.R. 13405))

Dated: November 10, 1965.

JOSEPH R. PRENTICE,
Superintendent, Harpers Ferry
National Historical Park.

[F.R. Doc. 65-13050; Filed, Dec. 6, 1965;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-8]

NORTH CAROLINA STATE COLLEGE

Notice of Order Authorizing Disposal of Facility

Please take notice that the Atomic Energy Commission has issued an order, authorizing North Carolina State College (NCSC) located at Raleigh, N.C., to dispose of the dismantled NCSC nuclear reactor components to Mississippi State University located at State College, Miss., after Mississippi State University has been issued a license to acquire and possess said components containing not more than 6.5 grams of uranium 235 as residual nuclear fuel.

Copies of the order and of the application by North Carolina State College are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 29th day of November 1965.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[Docket No. 50-8]

NORTH CAROLINA STATE COLLEGE

ORDER AUTHORIZING DISPOSAL OF FACILITY

On August 2, 1963, the Atomic Energy Commission issued an Order, pursuant to § 50.82, 10 CFR Part 50, of the Commission's regulations, authorizing North Carolina State College to proceed with dismantling of the North Carolina State College Reactor, NCSCR-4, as requested by the College. On November 12, 1963, the Commission authorized North Carolina State College to return the reactor's nuclear fuel to the Commission. Currently, the dismantled reactor components are in storage at the reactor facility, in accordance with the Commission's order. By application dated August 23, 1965, North Carolina State College requested (1) authorization to dispose of the dismantled reactor components to Mississippi State University, and (2) termination of License No. R-1 on the date that the physical transfer of the components is accomplished.

We have reviewed the request in accordance with the provisions of § 50.82 of 10 CFR Part 50 and have found that the disposal of the dismantled components of the facility is in accordance with the Commission's regulations and will not be inimical to the common defense and security or to the health and safety of the public.

Accordingly, it is hereby ordered that North Carolina State College may transfer

the disassembled components of the North Carolina State College Reactor, NCSCR-4, to Mississippi State University in accordance with the plans described in its letter dated August 23, 1965, subject to the following conditions:

A. North Carolina State College shall not transfer the components of the reactor until Mississippi State University has been issued a license to acquire and possess said components;

B. North Carolina State College may transfer, pursuant to the Atomic Energy Act of 1954, as amended, and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material," no more than 6.5 grams of uranium 235, as residual nuclear fuel contained in disassembled reactor component parts. License No. R-1 will be terminated by a further order of the Commission after disposition of the reactor components has been made.

For the Atomic Energy Commission.

Date of Issuance: _____

Director,
Division of Reactor Licensing.

[F.R. Doc. 65-13024; Filed, Dec. 6, 1965;
8:45 a.m.]

[Docket No. 50-227]

GENERAL DYNAMICS CORP.

Notice of Proposed Issuance of Facility License

Please take notice that the Atomic Energy Commission ("the Commission") is considering the issuance of a facility license substantially as set forth below to General Dynamics Corp. which would authorize operation of the Torrey Pines TRIGA Mark III nuclear reactor facility (previously referred to as the Thermionic Research TRIGA nuclear reactor), which is being constructed under Construction Permit No. CRR-89 issued on June 14, 1965, at the Corporation's site at Torrey Pines Mesa, Calif.

The Commission would issue the license upon making the findings set forth in the proposed license.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this license may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's "Rules of Practice," 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued.

For further details with respect to this proposed license, see (1) the application and amendments thereto, and (2) a related Safety Evaluation prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, all of which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the Safety Evaluation may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545.

Attention: Director, Division of Reactor Licensing.

For the Atomic Energy Commission.

Dated at Bethesda, Md., this 3d day of December 1965.

R. L. DOAN,
Director,
Division of Reactor Licensing.
Proposed License

The Atomic Energy Commission (hereinafter referred to as "the Commission") having found that:

a. The application for license complies with the requirements of the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act"), and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. The reactor has been constructed in conformity with Construction Permit No. CPER-89 and will operate in conformity with the application and in conformity with the Act and the rules and regulations of the Commission;

c. There is reasonable assurance that the reactor can be operated at the designated location without endangering the health and safety of the public;

d. General Dynamics Corp. is technically and financially qualified to engage in the proposed activities in accordance with the Commission's regulations, and to assume financial responsibility for Commission charges for special nuclear material;

e. The possession and operation of the reactor, and the receipt, possession and use of the special nuclear material, in the manner proposed in the application, will not be inimical to the common defense and security or to the health and safety of the public;

f. General Dynamics Corp. has submitted proof of financial protection which satisfies the requirements of Commission regulations currently in effect;

Facility License No. _____, effective as of the date of issuance, is issued as follows:

1. This license applies to the Torrey Pines TRIGA Mark III type nuclear reactor (hereinafter, "the reactor"), owned by the General Dynamics Corp. (hereinafter, "the licensee") and located at the licensee's laboratory site at Torrey Pines Mesa near San Diego, Calif., and is described in the licensee's application for license dated July 2, 1964, and amendments thereto dated November 30, 1965, February 26, 1965, July 6, 1965, July 12, 1965, September 2, 1965, November 16, 1965, December 2, 1965, and the application dated April 19, 1965, submitted under Docket No. 50-163 (herein referred to as "the application").

2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses General Dynamics Corp.:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities" to possess, use, and operate the reactor in accordance with the procedures and limitations described in the application;

B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material" to receive, possess, and use up to 10 kilograms of contained uranium-235 and 30 grams of plutonium in connection with operation of the reactor; and

C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material" to receive and possess a 15 curie sealed polonium-210-beryllium neutron source and up to a 150 curie sealed antimony-124-beryllium neutron source, either or both of which may be used for reactor start-up;

and to possess, but not to separate such by-product material as may be produced by operation of the reactor.

3. This license shall be deemed to contain and be subject to the conditions specified in section 30.32 of Part 30, section 50.54 of Part 50 and section 70.32 of Part 70, and is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. Operating Restrictions.

(1) The licensee shall not operate the reactor at steady state power levels in excess of 1500 kilowatts (thermal) without prior written authorization from the Commission.

(2) The control rods will have enough negative reactivity so that with the most reactive rod in the withdrawn position, there will be a shutdown margin of at least 0.1 percent $\Delta k/k$.

(3) A licensed senior operator shall be present at the facility during reactor operations, all fuel manipulations, all testing and/or calibration of the reactor and associated systems, and during any maintenance or modifications to the reactor systems.

(4) The licensee shall maintain attended and closely observed nuclear control instrumentation in operation at all times during operations which could involve changes in core reactivity when the facility is shutdown.

B. Technical Specifications

The Technical Specifications contained in Appendix "A" hereto (hereinafter referred to as the "Technical Specifications") are hereby incorporated in this license. Except as otherwise permitted by the Act and the rules, regulations, and orders of the Commission, the licensee shall operate the reactor in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in section 50.59 of 10 CFR Part 50.

C. Records

In addition to those otherwise required under this license and applicable regulations, the licensee shall keep the following records:

(1) Reactor operating records, including power levels and periods of operation at each power level.

(2) Records showing radioactivity discharge into the air or water beyond the effective control of General Dynamics Corp. as measured at or prior to the point of such release or discharge.

(3) Records of emergency shutdowns and inadvertent scrams, including reasons for emergency shutdowns.

(4) Records of maintenance operations involving substitution or replacement of reactor equipment or components.

(5) Records of experiments installed including description, measured and calculated reactivity worths, locations, exposure time, total irradiation and any unusual events involved in their performance and in their handling.

D. Reports

In addition to reports otherwise required under this license and applicable regulations, the licensee shall make an immediate report in writing to the Commission of any occurrence of a possible unsafe condition relating to the operation of the reactor, including, without implied limitation:

(1) Any incident or condition relating to the operation of the reactor which prevented or could have prevented a nuclear system from performing its safety function as described in the Technical Specifications. For each such occurrence, General Dynamics Corp. shall promptly notify by telephone or

telegraph, the Director of the appropriate Atomic Energy Commission Regional Compliance Office listed in Appendix D of 10 CFR 20 and shall submit within ten (10) days a report in writing to the Director, Division of Reactor Licensing (hereinafter, Director, DRL) with a copy to the Regional Compliance Office.

(2) General Dynamics Corp. shall report to the Director, DRL, in writing within 30 days of its observed occurrence any substantial variance disclosed by operation of the reactor from performance specifications contained in the Hazards Summary Report or the Technical Specifications.

(3) General Dynamics Corp. shall report to the Director, DRL, in writing within 10 days of its occurrence any accidental release of radioactivity, whether or not resulting in property damage or personal injury or exposure above permissible limits.

4. This license shall expire at midnight, June 14, 1975.

Attachment: Appendix A.¹

Date of issuance:

For the Atomic Energy Commission.

Director,
Division of Reactor Licensing.

[P.R. Doc. 65-13124; Filed, Dec. 6, 1965;
8:48 a.m.]

[Docket No. 50-237]

COMMONWEALTH EDISON CO.

Notice of Designation of Replacement of Member of Atomic Safety and Licensing Board

In the matter of Commonwealth Edison Co. (Dresden Nuclear Power Station Unit 2).

By "Notice of Hearing on Application for Provisional Construction Permit," dated October 25, 1965, in the above captioned matter, the Atomic Energy Commission designated an Atomic Safety and Licensing Board consisting of Dr. Hugh Paxton, Los Alamos, N. Mex.; Dr. Albert J. Kirschbaum, Livermore, Calif., and J. D. Bond, Esq., Chairman, Washington, D.C., to conduct the hearing and designated Dr. Eugene Greuling, Durham, N.C., as an alternate technically qualified member of the Board.

Due to the unavailability of Dr. Kirschbaum to participate in the hearing scheduled to commence on December 7, 1965, in Morris, Ill., the Atomic Energy Commission has designated Dr. Greuling as a member of the Atomic Safety and Licensing Board vice Dr. Kirschbaum.

Dated at Washington, D.C., this 3d day of December 1965.

United States Atomic Energy Commission.

W.B. McCool,
Secretary.

[P.R. Doc. 65-13128; Filed, Dec. 6, 1965;
8:48 a.m.]

¹ This item was not filed with the Office of the Federal Register but is available for inspection in the Public Document Room of the Atomic Energy Commission.

CIVIL AERONAUTICS BOARD

[Docket No. 16684]

INCREASED EASTERN AIR LINES JET FARES

Notice of Postponement of Prehearing Conference

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act, of 1958, as amended, that the prehearing conference in the above-entitled proceeding now assigned to be held on December 7, 1965, at 10 a.m., e.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Robert L. Park is postponed until further notice.

Dated at Washington, D.C., December 3, 1965.

[SEAL]

ROBERT L. PARK,
Hearing Examiner.

[F.R. Doc. 65-13120; Filed, Dec. 6, 1965;
8:48 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 65-SO-9]

SCRIPPS-HOWARD BROADCASTING CO., TELEVISION STATION WPTV; PALM BEACH, FLA.

Designation of Party to the Hearing

On October 23, 1965, in Vol. 30, No. 206, FEDERAL REGISTER, notice of hearing in the above matter was given to all parties. The notice provided that any person not designated as a party who believes his activities to be affected by the proposed construction should request designation as a party to the hearing.

Pursuant to the foregoing, Wometco Enterprises, Inc., on October 18, 1965, through the law firm of Cohn & Marks, petitioned to be designated as a party to the hearing.

Pursuant to the authority provided the presiding officer under § 77.51 of Part 77 of the Federal Aviation Regulations, notice is hereby given that Wometco Enterprises, Inc., is designated as a party to the hearing.

Issued in Washington, D.C., on December 1, 1965.

GEORGE R. BORSARI,
Presiding Officer.

[F.R. Doc. 65-13027; Filed, Dec. 6, 1965;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 65-1077]

STATION KABE, WESTWEGO, LA.

Procedure for Considering Applica- tions for Frequency Vacated

DECEMBER 2, 1965.

On July 20, 1965, the Commission released an order (FCC 65-645) ordering

a hearing on the application for a license to cover the construction permit of Station KABE, Westwego, La., giving the applicant 20 days to file a written appearance stating an intent to appear on the date of the hearing.

By order dated October 6, 1965 (Docket No. 16120, FCC 65D-43), the license application of KABE (File No. BL-10568), to cover the construction permit was denied for failure to prosecute. The Order became effective on November 26, 1965.

The Commission will consider immediately new applications proposing to use the frequency of the deleted facility, and hereby waives § 1.571(c) of its rules to give expeditious consideration to any application tendered.

Any application in response to this notice must be tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on February 1, 1966, and must be substantially complete and meet the requirements of the Commission's rules. No application will be considered substantially complete unless it includes the engineering data required by section V-A of FCC Form 301.

Any party in interest desiring to file pleadings pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, concerning any applications accepted for filing under this Notice is directed to § 1.580(i) of the Commission's rules for the provisions governing the time of filing and other requirements relating to such pleading. Notwithstanding the provisions of § 1.580(i), petitions to deny may be filed no later than 30 days after issuance of a public notice of the acceptance for filing of any application or applications tendered pursuant to this Notice.

Adopted: December 1, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-13078; Filed, Dec. 6, 1965;
8:48 a.m.]

[Docket Nos. 16031, 16032; FCC 65M-1548]

CAPITAL BROADCASTING CORP. AND CAPITAL NEWS, INC.

Order Continuing Hearing

In re applications of Capital Broadcasting Corp., Frankfort, Ky., Docket No. 16031, File No. BPH-4195; Capital News, Inc., Frankfort, Ky., Docket No. 16032, File No. BPH-4249; for construction permits.

On the unopposed oral request of counsel for Capital Broadcasting Corporation, to permit consideration by the Review Board of applicants' "joint request for approval of agreement, dismissal of application of Capital News, Inc., and grant of application of Capital Broadcasting Corp.," filed September 23, 1965: *It is ordered*, This 30th day of November 1965, that the hearing is rescheduled from December 8 to January 17, 1966.

¹ Commissioner Wadsworth absent.

Released: December 1, 1965.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-13079; Filed, Dec. 6, 1965;
8:48 a.m.]

[Docket Nos. 15668, 15708; FCC 65M-1546]

CHICAGOLAND TV CO. AND CHI- CAGO FEDERATION OF LABOR AND INDUSTRIAL UNION COUNCIL

Order Regarding Procedural Dates

In re applications of Frederick B. Livingston and Thomas L. Davis, doing business as Chicagoland TV Co., Chicago, Ill., Docket No. 15668, File No. BPCT-3116; Chicago Federation of Labor and Industrial Union Council, Chicago, Ill., Docket No. 15708, File No. BPCT-3439; for construction permits for new television broadcast station (Channel 50).

In effectuation of certain agreements reached and rulings made during the course of a hearing conference this date:

It is ordered, This 30th day of November 1965, that:

(1) Oral argument will be held on December 6, 1965, commencing at 9 a.m., relative to certain proposed exhibits and to the scope of the presently designated issues;

(2) The date for exchange of exhibits is continued from December 8 to December 15, 1965;

(3) The date for hearing on the admissibility of the exchanged exhibits is continued from December 22, 1965, to January 5, 1966, commencing at 10 a.m.; and,

(4) The date for further hearing, at which witnesses shall be examined, is continued from January 11 to January 18, 1966.

Released: November 30, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-13080; Filed, Dec. 6, 1965;
8:48 a.m.]

[Docket No. 14909; FCC 65M-1547]

SOUTHERN RADIO & TELEVISION CO.

Order Scheduling Hearing

In re application of Southern Radio & Television Co., Lehigh Acres, Fla., Docket No. 14909, File No. BP-14297; for construction permit.

In accordance with the ruling at yesterday's further prehearing conference: *It is ordered*, This 30th day of November 1965, that the hearing on remand is scheduled for January 10, 1966.

Released: December 1, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-13081; Filed, Dec. 6, 1965;
8:48 a.m.]

[Docket No. 16124; FCC 65M-1557]

WEST CENTRAL OHIO BROADCASTERS, INC.**Order Continuing Hearing**

In re application of West Central Ohio Broadcasters, Inc., Xenia, Ohio, Docket No. 16124, File No. BP-15468; for construction permit.

It is ordered, This 2d day of December 1965, that the hearing in the above-entitled proceeding, which heretofore was scheduled for December 6, 1965, is continued to December 7, 1965, and will be held in the offices of the Commission, Washington, D.C., commencing at 10 a.m.

Released: December 2, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] BEN F. WAPLE,
Secretary.[F.R. Doc. 65-13082; Filed, Dec. 6, 1965;
8:48 a.m.]**FEDERAL POWER COMMISSION**

[Docket No. E-7243]

**CITY OF CLEWISTON, FLA., AND
FLORIDA POWER & LIGHT CO.****Order Providing for Investigation and
Hearing, and Denying Motion To
Dismiss**

NOVEMBER 30, 1965.

By this order we initiate an investigation and provide for hearing to determine whether the Florida Power & Light Co. (FPL) should be required to establish interconnection with and render wholesale electric service to the city of Clewiston, Fla. (Clewiston), and the rate therefor.

On September 7, 1965, Clewiston filed an application for interconnection and complaint against unlawful actions, requesting that this Commission, pursuant to sections 202, 205, 206, 207, 306, 307, 308, 309, 316, and 317 of the Federal Power Act, order a direct interconnection between FPL and Clewiston, and require the rendition of wholesale electric service by FPL to Clewiston. Clewiston's complaint alleges that FPL presently supplies wholesale electric service to Glades Electric Cooperative, Inc., Moore Haven, Fla. (Glades), which, in turn, supplies electric power and energy to an industrial corporation, the United States Sugar Corp. (Sugar Corporation). Clewiston's electric facilities connect with electric facilities of Sugar Corporation. The latter corporation generates a portion of its electric requirements and, as indicated, purchases a portion from Glades. During the 12 months ended September 30, 1964, Clewiston paid an average charge of 1.7 cents per kwh based upon total receipts of 14,417,000 kwh. Clewiston alleges that FPL has refused to provide a direct connection and electric service to Clewiston.

On October 6, 1965, FPL filed an answer opposing Clewiston's application for interconnection and complaint and a motion to dismiss the complaint for

lack of jurisdiction. The answer and motion argue principally that Clewiston's complaint is premature because FPL has not been determined to be a public utility within the meaning of the Federal Power Act subject to the regulatory jurisdiction of this Commission. In reply to the motion for dismissal, Clewiston notes the pendency of this Commission's jurisdictional proceeding directed to FPL, Florida Power & Light Co. Order Initiating Investigation and Hearing, issued February 26, 1965, Docket No. E-7210, but maintains that concurrent Commission action in that proceeding and upon the city's application and complaint is warranted in the interests of the power supply needs of Clewiston.

Upon consideration of the contentions by Clewiston and FPL in the aforementioned pleadings, we conclude that the matters raised in Clewiston's application for interconnection and complaint should be investigated by our staff and set for public hearing. We do not agree with FPL that a prior determination that it is a public utility under the Act constitutes a prerequisite to a hearing on the merits of Clewiston's complaint. Clearly, such would place a considerable time burden upon parties filing complaints with the Commission. Therefore, the jurisdictional issue now before a Commission trial examiner in Docket No. E-7210 should be determined concurrently with the merits of Clewiston's complaint without further delay, and the motion to dismiss must be denied.

A copy of Clewiston's application for interconnection and complaint, together with a request for comments by November 9, 1965, was forwarded to Glades and Sugar Corporation. To date no reply has been received.

The Commission further finds:

In view of the foregoing, it is necessary and appropriate for the purposes of carrying out the provisions of the Federal Power Act, and particularly, but not in limitation of the foregoing, sections 202, 205, 206, 207, 306, 307, 308, and 309, that (1) FPL's motion to dismiss the application and complaint be denied, and (2) an investigation and a public hearing be ordered respecting the issues presented in the Application for Interconnection and Complaint filed by Clewiston and FPL's Answer thereto.

The Commission orders:

(A) FPL's Motion to Dismiss for Lack of Jurisdiction the Application for Interconnection and Complaint filed by Clewiston is hereby denied.

(B) A public hearing shall be held concerning the issues presented in the Application for Interconnection and Complaint filed by Clewiston and FPL's Answer thereto at a time and place to be specified by the presiding examiner.

(C) A prehearing conference shall be held before the presiding examiner commencing at 10 a.m., e.s.t., January 18, 1966, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for purposes as specified in the Commission's rules of practice and procedure.

(D) In order that the issues involved herein may be properly determined, an investigation is hereby initiated and FPL is hereby directed pursuant to the provisions of sections 307 and 309 of the Federal Power Act to grant to authorized members of the staff of the Federal Power Commission during regular business hours, free access to its property and access to and the right to inspect and examine all of its accounts, records and memoranda including, but not limited to, the following: books, papers, correspondence, contracts, agreements, maps, reports of engineers, meter readings, and log sheets upon their request; and shall either furnish copies of such material at the request of the staff, or make such material available for reproduction by the staff or shall produce such material for use by the staff prior to and during said hearing at the Offices of the Commission, 441 G Street NW., Washington, D.C., 20426.

(E) Notices of intervention or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington, D.C., 20426, on or before December 31, 1965, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.37).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.[F.R. Doc. 65-13029; Filed, Dec. 6, 1965;
8:45 a.m.]

[Docket No. CP66-159]

FLORIDA GAS TRANSMISSION CO.**Notice of Application**

NOVEMBER 26, 1965.

Take notice that on November 22, 1965, Florida Gas Transmission Co. (Applicant), Post Office Box 44, Winter Park, Fla., filed in Docket No. CP66-159 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of the facilities necessary to sell and deliver natural gas on a direct preferred interruptible basis to International Minerals & Chemical Corp. (International) for use in its West Polk chemical plant located near Bradley Junction, in Polk County, Fla., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 3.79 miles of 4½-inch O.D. pipeline extending from its existing 8-inch Sarasota lateral pipeline in Polk County, Fla., in a westerly direction to said plant, together with the necessary metering and regulating facilities to render the proposed service.

Applicant states that the natural gas will be used by International for the production of diammonium phosphate to be marketed to the commercial fertilizer industry.

Applicant estimates the maximum deliveries to International will be 3,300 MMBtu (approximately 3,300 Mcf) daily and 912,500 MMBtu (approximately 912,500 Mcf) annually.

The estimated cost of the proposed facilities is \$96,000, which cost is proposed to be financed out of funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before December 17, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13030; Filed, Dec. 6, 1965;
8:45 a.m.]

[Project No. 742]

SOUTH DAKOTA

Order Vacating Land Withdrawal

NOVEMBER 26, 1965.

Lands withdrawn in Project No. 742, South Dakota, order vacating withdrawal under section 24 of the Federal Power Act.

The Bureau of Indian Affairs, Department of the Interior, by letter dated October 20, 1965 (Real Property Mgmt. Acq. & Disp.; 4920-65) requested that the hereinafter described lands be removed from the effect of power withdrawal pursuant to section 24 of the Federal Power Act in order that they may be utilized for water well sites in connection with a public housing development involving the Rosebud Sioux Indian Tribe. These lands are as follows:

SOUTH DAKOTA

SIXTH PRINCIPAL MERIDIAN

T. 42 N., R. 29 W.,
Sec. 34, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$.

These are tribal lands of the Rosebud Sioux Tribe located on the Little White River, a tributary of the White River, near the town of White River in Millette County, S. Dak. The Rosebud Sioux are participating with a Public Housing Authority in establishing a low-rent housing project. The city of White River has agreed to permit the project to use city water and sewage facilities in exchange

for water well easements on lands within the withdrawn area.

The NE $\frac{1}{4}$ SW $\frac{1}{4}$ was withdrawn pursuant to the filing on September 21, 1926, of an application for a minor-part license for Project No. 742 by the village of White Water. The S $\frac{1}{2}$ SW $\frac{1}{4}$ was withdrawn pursuant to a filing by the Central West Public Service Co. of an application for a minor-part license on December 26, 1930, also for Project No. 742.

This project known as the White River Hydro Power Plant No. 1 consisted of a small concrete dam approximately 15 feet high and some 70 feet long equipped with tainter gates and flashboards, an earthen dike, a small reregulating reservoir and a concrete brick powerhouse constructed as part of the dam. The project occupied a total of 116.57 acres, of which 51.7 acres were tribal lands being a portion of the Rosebud Sioux Tribal Reservation. The project, when first constructed prior to 1930, flooded portions of the above-cited Indian lands during periods of highwater. However, during the period subsequent to construction of the project, the Bureau of Indian Affairs constructed various irrigation devices on the river above the project which presently precludes the normal flow of water from entering the project reservoir. In addition, a waterfowl refuge reservoir was established upstream causing a loss of water through evaporation and transpiration that would have otherwise flowed into the reservoir.

On January 5, 1927, the original license for minor-part Project No. 742 was issued to the village of White River, S. Dak., for a period terminating April 30, 1930. The license for the project was transferred and reissued from time to time. On June 19, 1945, the Commission authorized issuance of a license for the project which was designated Project No. 1891. However, by order of July 22, 1947, the order issuing a license in Project No. 1891 was rescinded and the application for a license for that project was dismissed on the grounds that the project did not occupy Indian lands. The Assistant Secretary of the Interior, in replying to our inquiry, advised that none of the 51.7 acres of tribal lands are now being flooded.

Since the river flows are being continuously diminished by upstream diversions for purposes of irrigation and wildlife protection, and furthermore, since it appears that these subject lands have not been used for a number of years for power purposes and will not be so used in the future, they no longer have power value.

The Commission finds: The above-described lands no longer have power value.

The Commission orders: The power withdrawals pertaining to the following lands:

SOUTH DAKOTA

SIXTH PRINCIPAL MERIDIAN

T. 42 N., R. 29 W.,
Sec. 34, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$.

made pursuant to the filing of applications for minor-part licenses on September 21, 1926, and December 26, 1930, respectively, are hereby vacated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13031; Filed, Dec. 6, 1965;
8:45 a.m.]

[Docket No. CP66-158]

NORTHERN NATURAL GAS CO.

Notice of Application

NOVEMBER 29, 1965.

Take notice that on November 19, 1965, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha 2, Nebr., filed in Docket No. CP66-158 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the delivery of additional natural gas to two of its existing utility customers and the revision and initiation of firm natural gas service for three existing industrial consumers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that L. V. Crum, Jr., an existing distributor, has requested an increase in contract demand from 100 Mcf of gas to 225 Mcf of gas per day in order to serve new consumers who have or will soon be added due to the expansion of the Racine, Minn., distribution system.

Applicant further states that its Peoples Division (Peoples) has requested additional contract demand service in the amount of 700 Mcf of gas per day, of which 550 Mcf will be sold to W. S. Dickey Clay Manufacturing Co. (Dickey) for use in its processing plant near Lehigh, Iowa. In accordance with an order issued in Docket No. CP64-17 on October 29, 1963, firm service to Dickey is presently limited to 300 Mcf of gas per day. Annual firm and interruptible sales of natural gas to Dickey are estimated to be 512,250 Mcf.

The application states that Peoples proposes to use the remaining 150 Mcf of gas per day to initiate firm service to Farm Best, Inc., for use in its meat packing plant located in Denison, Iowa. Total annual sales of natural gas to Farm Best, Inc., are estimated to be 172,250 Mcf.

Applicant states that Peoples further proposes to initiate firm service in the amount of 150 Mcf of gas per day to Glenwood Packing Co. (Glenwood) for use in its meat packing plant located in Glenwood, Iowa, and that Peoples will supply the firm gas from existing contract demand by utilizing peak shaving facilities. Total annual sales of natural gas to Glenwood are estimated to be 82,925 Mcf.

No new facilities are required to effectuate Applicant's proposals.

Protests or petitions to intervene may be filed with the Federal Power Commis-

sion, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before December 17, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13032; Filed, Dec. 6, 1965;
8:45 a.m.]

[Docket No. G-13018, etc.]

PACIFIC NORTHWEST PIPELINE CORP. ET AL.

Order Granting Motion and Setting Date for Prehearing Conference

NOVEMBER 29, 1965.

Pacific Northwest Pipeline Corp., Docket No. G-13018; El Paso Natural Gas Co., G-13019, CP66-27; Northwest Pipeline Corp., CP66-28, CP66-29, CP66-30.

On October 11, 1965, the Commission staff (Staff) filed a motion for an order requiring the submittal of supplemental written testimony and presentation of independent witnesses in support of Northwest Pipeline Corp.'s applications in this proceeding. The motion noted that the Commission had required Northwest Pipeline Corp. (Northwest) and El Paso Natural Gas Co. (El Paso) to file written testimony and hearing exhibits in support of their applications on or before October 1, 1965, and that El Paso and Northwest had purported to comply with this requirement by the submission of the testimony of six witnesses, five of whom testified for El Paso and one for Northwest. By letter of its attorney, Northwest indicated the adoption of the testimony of the El Paso witnesses. Staff argued in its motion that the evidence submitted was not sufficient to adequately support the applications, that extensive cross-examination would be necessary to fully develop a record, and particularly that it was necessary that Northwest present witnesses "who are independent from El Paso" in support of its applications. The thrust of Staff's motion is that as a result of the decree of divestiture an independent company

potentially capable of competing with El Paso must be created and that the evidence presented to the Commission is insufficient to allow the formation of a basis for the conclusion that the Company which will acquire and operate the properties to serve the Pacific Northwest area will be financially and economically feasible in the future.

On November 5, 1965, El Paso and Northwest filed answers in opposition to Staff's motion; Cascade Natural Gas Corp. filed an answer in support of Staff's motion.

El Paso and Northwest argue primarily that compliance with Staff's motion would be time consuming and would not allow divestiture "without delay" as required by the mandate of the Supreme Court, that Staff's motion is not sufficiently specific as to the kind of evidence desired, that Staff's motion requires a procedure "contrary to the established course of procedure," and to suggest that expert witnesses who are employees of El Paso should be disqualified as witnesses in support of Northwest's applications, is without basis in fact, in law, or in practice.

The April 6, 1964, mandate of the Supreme Court was to require the divestiture by El Paso of the former Pacific Northwest Pipeline Corp. properties without delay. The Commission recognizes that the divestiture decree of the District Court was issued pursuant to that mandate and that it constitutes a determination of the anti-trust issues in the proceeding. However, as recognized in the divestiture decree, under the Natural Gas Act it is incumbent upon El Paso and Northwest to file and prosecute the applications for certificate authorization presented in this proceeding. This does not mean mere pro forma compliance with the requirements of the Act and the Commission's Regulations. The Commission prior to certifying any major new pipeline must be assured that there will be an existing corporation capable of rendering long-term service sufficient to meet the demands of the market area at a price which is reasonable. This, Northwest must demonstrate in this proceeding. The decisions of its officers and personnel are the decisions upon which the customers in its service areas will have to rely. It is obligatory that Northwest assume complete responsibility for any decisions or positions emanating from this proceeding. It is quite evident to this Commission that the independent judgment of the Northwest officials is absolutely necessary to a determination of the capabilities of the corporation to serve the new area. This judgment must be expressed in this proceeding through evidence bearing upon the economic stability and future expectations of the company and upon the physical capacity of the company to meet its requirements. It is not the kind of evidence which should be drawn out on cross-examination by Staff or other parties. While it might be proper from a technical point of view for Northwest's officials to adopt the testimony of El Paso personnel in support of their case, it is also evident to this Commission that by

so doing, the element of independent judgment so necessary to a sensible determination in this case will be missing. Staff's motion seeking to require the presentation of independent witnesses by Northwest is well taken and will be granted.

As to the requirement that evidence supplemental to that previously presented be served in order to more fully explain the companies' positions, we agree that only minimal evidence has been presented at this time. El Paso has pointed out that Staff did not particularize the evidence it felt was deficient. While this is true, we note that our regulations require the submittal of fully explained information. Regulations under the Natural Gas Act, section 157.14(a). Evidence submitted in support of an application should at least comply with this requirement. A review of the evidence submitted herein does not show that this condition was met. For example, nowhere in the submitted evidence do El Paso witnesses testify as to the effect on El Paso of the proposed divestiture. Lacking information of this kind, as well as other detail, Staff was entirely correct in filing the motion.

We agree with the applicants, however, that further particularization of the nature of the additional evidence would be useful. For this purpose, El Paso's suggestion that a prehearing conference be held is proper. A prehearing conference would enable all parties to the proceeding to present a statement as to the issues involved and their views on those issues, and, insofar as there is misunderstanding or disagreement as to the precise nature or quantum of additional evidence which should be adduced a prehearing conference under the examiner who will eventually hear the case would be the appropriate place for clarification and determination. Accordingly, we here order that a prehearing conference be held on December 16, 1965, for consideration of matters which might expedite this proceeding and particularly to explore and determine any remaining questions as to the nature of the additional evidence the applicants will be required to adduce.

The Commission orders:

(A) The motion of the Commission staff filed on October 11, 1965, is granted.

(B) Northwest Pipeline Corp. shall file additional evidence fully supporting its applications in this proceeding.

(C) El Paso Natural Gas Co. shall file additional evidence fully supporting its applications in this proceeding.

(D) A prehearing conference shall be held on December 16, 1965, at 10 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for the purpose of further determining methods to expedite the proceeding and for further classification and determination of the manner in which Northwest and El Paso shall comply with Ordering Paragraphs B and C hereof.

(E) Presiding Examiner Harry Frazee or any other officer or officers of the Commission designated by the Chief Examiner shall preside at the above-ordered prehearing conference and shall take

such action as may be appropriate to expedite the hearing.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13033; Filed, Dec. 6, 1965;
8:45 a.m.]

[Docket No. CP66-161]

SOUTHERN NATURAL GAS CO.

Notice of Application

NOVEMBER 30, 1965.

Take notice that on November 23, 1965, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, Ala., 35202, filed in Docket No. CP66-161 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continued operation of certain line taps and metering facilities and the delivery in interstate commerce of natural gas, by means of such facilities, to 12 purchasers who use the gas in the operation of oil and gas leases, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the natural gas requirements of the aforementioned purchasers during the 12-month period which ended August 31, 1965, was 312,585 Mcf.

The facilities involved in the instant application are located in Yazoo, Madison, and Franklin Counties, all in the State of Mississippi. The aggregate cost of such facilities when constructed between 1942 and 1962 was \$8,739.03. No new construction is proposed by the instant application.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before December 22, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the

Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13034; Filed, Dec. 6, 1965;
8:45 a.m.]

[Docket No. RI66-176]

OKLAHOMA NATURAL GAS CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject To Refund

NOVEMBER 26, 1965.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 12, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI66-176...	Oklahoma Natural Gas Co., Post Office Box 871, Tulsa, Okla., 74102.	28	1	Cities Service Gas Co. (Northwest Quinlan Field, Woodward County, Okla.) (Oklahoma Panhandle Area).	\$1,380	11-3-65	12-4-65	12-5-65	** 16.0	*** 17.0	

* The stated effective date is the effective date requested by Respondent.

* The suspension period is limited to 1 day.

* Periodic rate increase.

* Pressure base is 14.65 p.s.i.a.

* Subject to a downward B.T.U. adjustment.

* Includes 1.0 cent per Mcf dehydration and gathering charge paid by buyer to seller.

The contract related to the rate filing proposed by Oklahoma Natural Gas Co. (Oklahoma Natural) was executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed increased rate is above the applicable area ceiling for increased rates but below the initial service ceiling for the area involved. We believe, in this situation, Oklahoma Natural's rate filing should be suspended for 1 day from December 4, 1965, the proposed effective date, as hereinbefore ordered.

[F.R. Doc. 65-13036; Filed, Dec. 6, 1965; 8:45 a.m.]

[Project No. 1740]

UTAH POWER & LIGHT CO.

Notice of Application for Surrender of License for Constructed Project

NOVEMBER 29, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Utah Power & Light Co. (correspondence to: Utah Power & Light Co., care of Leighton and Sherline, Suite 707, 815 Connecticut Avenue NW., Washington, D.C. 20006), for surrender of license for constructed Project No. 1740, known as the Cokeville Plant, located on Pine Creek, a tributary of Bear River, in Lincoln County, Wyo., and affecting lands of the United States within the Wyoming Grazing District No. 4.

The existing project comprises a dam, flume, canal, penstock, powerhouse with a 350-kw generating unit, and appurtenant facilities.

According to the application, the continued operation of the project is uneconomical, and the energy supplied thereby can be supplied at a lesser cost from the Company's interconnected system.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is January 10, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13035; Filed, Dec. 6, 1965; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

DECEMBER 1, 1965.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5% percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1969, otherwise than on a national securities exchange is re-

quired in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended, this order to be effective for the period December 1, 1965, through December 10, 1965, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-13052; Filed, Dec. 6, 1965; 8:47 a.m.]

[812-1855]

STATE STREET INVESTMENT CORP.

Filing of Application for Order Exempting Sale by Open-End Company of Its Shares

DECEMBER 1, 1965.

Notice is hereby given that State Street Investment Corp. ("Applicant"), 140 Federal Street, Boston, Mass., which is registered under the Investment Company Act of 1940 ("Act") as an open-end diversified investment company, has filed an application pursuant to section 6(c) of the Act. Applicant proposes to issue its shares at net asset value for substantially all of the cash and securities of the Overland Corp. ("Overland") and requests an order of the Commission exempting the transaction from the provisions of section 22(d) of the Act. Generally speaking, section 22(d) of the Act, with certain exceptions not here relevant, prohibits a registered investment company from selling any redeemable security issued by it to any person except at a current offering price described in the prospectus. Because Applicant does not now have an effective prospectus which describes a current offering price for its shares, the proposed transaction would be prohibited by section 22(d) unless the Commission issues an order of exemption. Accordingly, an exemption is deemed necessary. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Overland, a Delaware corporation, was organized in 1936 and presently is being operated as an investment company. On April 2, 1954, Overland registered as an investment company under the Act and retained that status until June 2, 1965 when it applied for and received permission to deregister under said Act. All of Overland's issued and outstanding shares are owned by 21 persons. As at October 15, 1965, the net assets of Applicant and Overland were approximately \$300,000,000 and \$32,000,000, respectively.

Pursuant to an agreement between Applicant and Overland, substantially all the assets of Overland will be transferred to Applicant in exchange for stock of Applicant which in turn will be distributed to Overland's shareholders.

The amount of Applicant's stock to be delivered to Overland in accordance with the terms of the above-described

agreement will be determined on the basis of the value of the gross assets of Overland to be transferred to Applicant and the net asset value per share of Applicant, respectively, as of the close of business on the last full business day of the New York Stock Exchange preceding the date of closing. Such amount of stock shall be computed by dividing Applicant's per share net asset value into the aggregate value of Overland's assets which aggregate value will first be reduced by an adjustment for potential federal income taxes payable upon the realization of the appreciation in the value of the securities of Overland to the extent that any such appreciation may proportionately exceed the appreciation of the securities of Applicant on the date of closing. As at October 15, 1965, no such adjustment would have been required. As of that date the appreciation (realized and unrealized) as a percentage of the net asset values of Applicant and Overland approximated 43 percent and 25 percent, respectively.

Notice is further given that any interested person may, not later than December 16, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-13053; Filed, Dec. 6, 1965; 8:47 a.m.]

[01-54]

TWIN PINES FARM DAIRY, INC.

Notice of Extension of Opportunity for Hearing

DECEMBER 1, 1965.

Twin Pines Farm Dairy, Inc., 8445 Lyndon Avenue, Detroit, Mich., having filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934 ("Act"), requesting an exemption

from the registration requirements of section 12(g) of the Act, and

The Commission, having issued on September 22, 1965, a public notice of the filing of the application and a further notice giving any interested person until October 13, 1965, to request in writing that a hearing be held on such matter or that such person be notified if the Commission should order a hearing thereon.

Notice is hereby given that the time within which such a request may be submitted is extended to December 15, 1965.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-13054; Filed, Dec. 6, 1965;
8:47 a.m.]

[812-1858]

GENERAL FOODS OVERSEAS DEVELOPMENT CORP.

Notice of Filing of Application for Order Exempting Company

DECEMBER 2, 1965.

Notice is hereby given that General Foods Overseas Development Corp. ("applicant"), 250 North Street, White Plains, N.Y., a Delaware corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting it from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

The applicant was organized by General Foods Corp. ("General Foods") under the laws of the State of Delaware in November 1965. It is expected that all of the initially issued stock of the applicant, consisting of 10,000 shares of capital stock, par value \$100 per share, will be purchased for \$1,000,000, and held by General Foods. General Foods will also acquire any additional securities, other than debt securities, which applicant may issue in the future and will not dispose of any of the securities of applicant held by General Foods except to the applicant or to a wholly owned subsidiary of General Foods.

General Foods, a Delaware corporation, is engaged, directly and through subsidiaries, principally in the manufacture and sale of a broad range of food, grocery and household products.

Applicant has been organized in order to finance the expansion and development of General Foods' foreign operations in a manner which is designed to assist in improving the balance of payments position of the United States, in compliance with the voluntary cooperation program instituted by the President in February 1965. Applicant intends to issue and sell an aggregate of not less than \$10,000,000 nor more than \$12,000,000 principal amount of Promissory Notes due 1980 ("Notes"). General Foods will irrevocably and uncondition-

ally guarantee the principal, premium, interest and mandatory prepayments on the Notes. Any additional debt securities of applicant which may be issued to or held by the public will be guaranteed by General Foods in the same manner as the Notes.

It is intended that at least 60 percent of the value of the total assets of applicant will be invested in or loaned to foreign companies which (1) are, or upon the making of such investment will be, majority-owned subsidiaries of General Foods as defined in section 2(a)(23) of the Act, and (2) are primarily engaged in a business or businesses other than investing, reinvesting, owning, holding or trading in securities. Pending the completion of such investment program, applicant intends to keep such assets invested temporarily in debt obligations of foreign governments, foreign financial institutions and other foreign persons maturing in one year or less. Applicant will not acquire the securities representing any of its investments or loans for the purpose of resale and will not trade in such securities.

Counsel has advised the applicant that United States persons will be required to report and pay an interest equalization tax with respect to acquisition of the Notes, except where a specific statutory exemption is available. By financing its foreign operations through the applicant rather than through the sale of its own debt obligations, General Foods will utilize an instrumentality the acquisition of whose debt obligations by United States persons would, generally, subject such persons to the interest equalization tax, thereby discouraging them from purchasing such debt obligations.

The Notes will be sold to foreign investors with whom the Notes will have been placed by Goldman, Sachs & Co., acting as agent for applicant. At the date of the application, the persons who will be purchasers of the Notes are not known, but each purchaser will be a person who is not a citizen of or resident in the United States or its territories. The Notes will be issued initially in principal amounts of \$50,000 or integral multiples thereof, and thereafter may be exchanged only for Notes in the principal amount of \$50,000 or integral multiples thereof. The purchasers of the Notes will agree that, unless in the opinion of counsel to the applicant such offers and sales may be made without registration under the Securities Act of 1933, they will not offer or sell any Notes (a) in the United States or its territories, (b) to any person who is a citizen of or normally resident in the United States or its territories, or (c) to any other person who intends to reoffer or resell any of such Notes in the United States or its territories or to such citizens or its residents.

Applicant asserts that it is not necessary or appropriate in the public interest or consistent with the protection of investors to regulate applicant under the Act, for the following reasons: (1) A principal purpose of applicant is to assist in improving the balance of payments program of the United States by serving

as a vehicle through which General Foods may obtain funds in foreign countries for its foreign operations; (2) applicant will not deal or trade in securities; (3) the public policy underlying the Act is not applicable to applicant and the security holders of applicant do not require the protection of the Act, because the payment of the Notes, which is guaranteed by General Foods, does not depend upon the operations or investment policy of applicant, for the Note holders may ultimately look to the business enterprise of General Foods rather than solely to that of applicant; (4) the substantial minimum size of the Notes (\$50,000 each) should effectively prevent investment in them by other than a relatively small number of fairly sophisticated investors.

Notice is further given that any interested person may, not later than December 16, 1965, at 12 noon, submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-13083; Filed, Dec. 6, 1965;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Sec. 5a Application 83; Amdt. 1]

ALASKA CARRIERS ASSOCIATION, INC.

Amendments to Agreement

DECEMBER 2, 1965.

The Commission is in receipt of an application in the above-entitled and numbered proceeding for approval of amendments to the agreement therein approved under the provisions of section 5a of the Interstate Commerce Act.

Filed November 17, 1965, by:

Edward R. Sanders, attorney in fact, 1701 East First Avenue, Anchorage, Alaska, 99501.

Amendments involved: Change the agreement so as to (1) increase the number of members of the standing rate committee, the executive committee, and the directors at large, and provide for alternates for the latter, (2) revise schedules of membership dues, and (3) provide for divisions of the standing rate committee.

The application may be inspected at the Office of the Commission in Washington, D.C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-13067; Filed, Dec. 6, 1965;
8:47 a.m.]

[No. 3666]

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES BY PRIVATE MOTOR CARRIERS¹

Petition of General Transportation Importance Granted

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 29th day of November A.D., 1965.

Upon consideration of the record in the above-entitled proceeding; the petition of the Private Truck Council of America, Inc., filed November 16, 1965, for a declaration of general transportation importance, and of a motion of the Private Carrier Conference Inc., filed November 18, 1965, requesting that action be deferred on the petition of the Private Truck Council of America, Inc.; and for good cause appearing:

It is ordered, That the petition for a declaration of general transportation importance be, and it is hereby granted, and that this proceeding is hereby declared to involve an issue of general transportation importance.

¹ Regulations considered in this report were proposed in Notice No. 50 and supplemental Notice No. 50, and were considered by the Commission, Division 3, in its report and order decided Oct. 21, 1965.

It is further ordered, That petitions for reconsideration in this proceeding may be filed within 30 days after the date of service of this order and replies thereto within 20 days after the final date for filing such petitions.

And it is further ordered, That the motion to defer action on the petition for a declaration of general transportation importance be, and it is hereby, denied.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-13068; Filed, Dec. 6, 1965;
8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 554]

HAWAII

Declaration of Disaster Area

Whereas, it has been reported that during the month of November 1965, because of the effects of certain disasters, damage resulted to residences and business property located in Maui and Oahu Counties in the State of Hawaii:

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid Counties and areas adjacent thereto, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about November 10 through 14, 1965.

OFFICE

Small Business Administration Regional Office, 1149 Bethel Street, Room 402, Honolulu, Hawaii, 96813.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to May 31, 1966.

Dated: November 23, 1965.

ROSS D. DAVIS,
Executive Administrator.

[P.R. Doc. 65-13062; Filed, Dec. 6, 1965;
8:47 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—DECEMBER

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FEDERAL REGISTER

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Tuesday, December 7, 1965 • Washington, D.C.

PART II

Administrative Committee
of the Federal Register

Federal Register
Regulations



Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

REPUBLICATION OF CHAPTER, AS AMENDED

In order to facilitate its distribution and use, Chapter I of Title 1, Code of Federal Regulations is hereby republished by order of the Administrative Committee of the Federal Register. This republication is based on the revision of the chapter dated August 18, 1964 (29 F.R. 11782), and includes the amendment of July 31, 1965 (30 F.R. 9573), establishing a special edition of the FEDERAL REGISTER entitled "Weekly Compilation of Presidential Documents."

The republication as set forth below contains no substantive changes.

Subchapter A—General

- Part
- 1 General information.
 - 2 Services to the public.
 - 3 Services to Federal agencies.
 - 4 Agency representatives.

Subchapter B—Presidential Proclamations and Executive Orders

- 7 Preparation, presentation, filing, and publication of Executive orders and proclamations.

Subchapter C—The Federal Register

- 10 General.
- 11 Mandatory, authorized, and prohibited publication.
- 12 Publication schedules.
- 12 Order of arrangement in the FEDERAL REGISTER.
- 14 Indexes and ancillaries.
- 15 Distribution of FEDERAL REGISTER.
- 16 Preparation and transmittal of documents generally.
- 17 Preparation of documents subject to codification.
- 18 Preparation of notices and rule making proposals.

Subchapter D—Special Editions of the Federal Register

- 30 Code of Federal Regulations.
- 31 U.S. Government Organization Manual.
- 32 Presidential papers.

Subchapter E—Definitions

- 40 Meaning of terms in this chapter.

SUBCHAPTER A—GENERAL

PART 1—GENERAL INFORMATION

- Sec.
- 1.0 Scope and purpose.
 - 1.1 Administrative Committee of the Federal Register.
 - 1.2 Office of the Federal Register; location, hours.
 - 1.3 General authority of Director, Office of the Federal Register.
 - 1.4 Publication of statutes, rules, and related documents.
 - 1.5 Availability of Federal Register publications.

AUTHORITY: The provisions of this Part 1 issued under sec. 5, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

§ 1.0 Scope and purpose.

This chapter sets forth the procedures, policies, determinations, and

delegations whereby the Administrative Committee of the Federal Register carries out its general responsibilities under the Federal Register Act. One of the primary purposes of this chapter is to inform the public of the nature and uses of Federal Register publications. Interested persons should consider not only the provisions of this part and Part 2 of this subchapter but also should read related provisions directed principally to the agencies of the Federal Government. These latter provisions develop details and assist the user in taking full advantage of the protection and services afforded under the Federal Register Act.

§ 1.1 Administrative Committee of the Federal Register.

The Administrative Committee of the Federal Register, established by section 6 of the Federal Register Act, consists of the Archivist or Acting Archivist of the United States, who is chairman of the Committee, an officer of the Department of Justice, designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Office of the Federal Register serves as secretary of the Committee. All materials required by law to be filed with the Committee, and all correspondence, inquiries, and other communications intended for the Committee shall be directed to the Director at the Office of the Federal Register.

§ 1.2 Office of the Federal Register; location, hours.

The Office of the Federal Register is a component of the National Archives and Records Service of the General Services Administration. The Office is located in the National Archives Building, Eighth Street and Pennsylvania Avenue NW., Washington, D.C. Office hours are from 8:45 a.m. to 5:15 p.m., Monday through Friday except official Federal holidays.

§ 1.3 General authority of Director, Office of the Federal Register.

The Director is authorized to administer generally the provisions of this chapter, the related provisions of the Federal Register Act, and the pertinent provisions of acts and rules contemplated by section 5 of the Federal Register Act.

§ 1.4 Publication of statutes, rules, and related documents.

The Office of the Federal Register is responsible for the central filing of the original acts comprising the laws enacted by the Congress, and the original documents comprising the public rules and notices issued pursuant to those laws by the executive branch of the United States Government. From these original acts and documents, the Office publishes the *slip laws*, the *United States Statutes at Large*, the daily *FEDERAL REGISTER*, and the *Code of Federal Regulations*. From related official source material, the Office also publishes the *United States Government Organization Manual*, the *Public Papers of the Presidents of the United*

States, and the *Weekly Compilation of Presidential Documents*.

§ 1.5 Availability of Federal Register publications.

The publications described in § 1.4 are printed by the Government Printing Office and may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. These publications are not available for free distribution to members of the public at large (see § 2.5 of this chapter).

PART 2—SERVICES TO THE PUBLIC

- Sec.
- 2.1 Inquiries and correspondence.
 - 2.2 Information service.
 - 2.3 Public inspection of documents.
 - 2.4 Reproductions and certified copies of acts and documents.
 - 2.5 Subscription and sale of publications.

AUTHORITY: The provisions of this Part 2 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

§ 2.1 Inquiries and correspondence.

Inquiries and other correspondence should be addressed to the Director, Office of the Federal Register, National Archives Building, Washington, D.C. 20408.

§ 2.2 Information service.

Information concerning the publications described in § 1.4 of this chapter and concerning the original acts and documents filed with the Office of the Federal Register will be given freely by the Office on request, unless the time required to provide that information would be excessive. Staff members of the Office will not undertake to summarize or interpret substantive text of any law or document.

§ 2.3 Public inspection of documents.

Current documents filed with the Office pursuant to law are open to public inspection in the Office of the Federal Register, National Archives Building, during the working day. There are no formal inspection requirements or procedures. Manual, typewritten, or other copies or excerpts may be made freely at the inspection desk.

§ 2.4 Reproductions and certified copies of acts and documents.

The furnishing of reproductions of acts and documents and the preparation and attachment of authentication certificates are governed by the rules covering the public use of records in the National Archives (41 CFR Part 101-7). In general, the rules provide for the advance payment of appropriate fees for reproduction services and for certifying reproductions.

§ 2.5 Subscription and sale of publications.

Federal Register publications are available through subscription or sale to members of the public at large. Provisions governing subscription and sale are as follows:

(a) *Slip laws.* See section 191, title 44 of the United States Code.

NOTE: Orders for individual copies of public slip law prints or annual subscription to such prints are handled by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

(b) *U.S. Statutes at Large.* See section 196a, title 44 of the United States Code.

NOTE: Orders are handled by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Price of volume varies with each session of Congress.

(c) *Federal Register.* See §§ 15.10 and 15.11 of this chapter.

(d) *Code of Federal Regulations.* See §§ 30.16 and 30.17 of this chapter.

(e) *U.S. Government Organization Manual.* See § 31.23 of this chapter.

(f) *Public Papers of the Presidents of the United States.* See § 32.22 of this chapter.

(g) *Weekly Compilation of Presidential Documents.* See § 32.50 of this chapter.

PART 3—SERVICES TO FEDERAL AGENCIES

Subpart A—General

- Sec.
- 3.1 General cooperation.
 - 3.2 Information service.
 - 3.3 Submission of documents.
 - 3.4 Informal staff assistance.
 - 3.5 Reproductions and certified copies of acts and documents.
 - 3.6 Official subscriptions and requisitions of Federal Register publications.

Subpart B—Special Assistance

- 3.10 Information on document drafting and publication assistance.
- 3.11 Programs of technical instruction.

Subpart C—Supplementary Printing and Editorial Services

- 3.15 Purpose.
- 3.16 Use of Federal Register standing type.
- 3.17 Overruns of Federal Register publications.
- 3.18 Special editorial service.
- 3.19 Supplementary loose-leaf services.

AUTHORITY: The provisions of this Part 3 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

Subpart A—General

§ 3.1 General cooperation.

The Director stands ready to cooperate fully with all agencies having business with the Office in order to assist such agencies in complying with pertinent publication laws and to assure efficient public service in the promulgation of administrative documents having the effect of law or of legal notice.

§ 3.2 Information service.

The Office of the Federal Register stands ready to answer all appropriate inquiries presented in person, by telephone, or in writing. All written communications and all matters involving classified material or involving the Administrative Committee should be presented to the Director, Office of the Fed-

eral Register, National Archives Building, Washington, D.C. 20408.

§ 3.3 Submission of documents.

Documents authorized or required by law to be filed with the Office or published in the FEDERAL REGISTER or filed with the Administrative Committee shall be presented to the Director.

§ 3.4 Informal staff assistance.

The Office of the Federal Register is prepared to give informal assistance and advice to officials of the various agencies with respect to general or specific problems of rule drafting, rule making procedures, and promulgation practices.

§ 3.5 Reproductions and certified copies of acts and documents.

Reproductions or certified copies of original acts and documents filed with the Office which are required for official use ordinarily will be furnished by the Director on request without charge. In cases involving voluminous material or numerous copies, the requesting agency may be required to reimburse the cost of reproduction.

§ 3.6 Official subscriptions and requisitions of Federal Register publications.

The availability for official use of the Federal Register publications described in § 1.4 of this chapter varies with the nature of each publication. Provisions governing official distribution are as follows:

(a) *Slip laws.* See section 191, title 44 of the United States Code.

NOTE: Single copies may be obtained from the House or Senate Document Room, United States Congress. Quantity overruns of one or all of the slip laws may be obtained by timely submission of a requisition (Standard Form 1) to the Government Printing Office, Washington, D.C. 20402.

(b) *U.S. Statutes at Large.* See section 196a, title 44 of the United States Code.

NOTE: Written request for official copies should be directed to the Joint Committee on Printing, United States Capitol, Washington, D.C. 20510.

(c) *Federal Register.* See §§ 15.3 to 15.8 of this chapter.

(d) *Code of Federal Regulations.* See §§ 30.12 to 30.15 of this chapter.

(e) *U.S. Government Organization Manual.* See §§ 31.21 to 31.26 of this chapter.

(f) *Public Papers of the Presidents of the United States.* See §§ 32.15 to 32.19 of this chapter.

(g) *Weekly Compilation of Presidential Documents.* See § 32.40 of this chapter.

Subpart B—Special Assistance

§ 3.10 Information on document drafting and publication assistance.

The Director is authorized to prepare and distribute to agencies information and instructions designed to promote effective compliance with the purposes of the Federal Register Act, related statutes, and the rules prescribed in this chapter.

§ 3.11 Programs of technical instruction.

The Director is authorized to develop and conduct programs of technical instruction for the benefit of agencies. Programs shall be designed to explain and supplement the written materials distributed pursuant to § 3.10.

Subpart C—Supplementary Printing and Editorial Services

§ 3.15 Purpose.

The Director is authorized to provide special services to agencies to promote efficiency and economy through the use of printing and editorial facilities developed in editing and publishing the FEDERAL REGISTER and the Code of Federal Regulations.

§ 3.16 Use of Federal Register standing type.

Type used in printing the FEDERAL REGISTER is normally available for reuse by agencies in making reprints on their own requisition. Printing and binding requisitions (Standard Form 1) shall be submitted to the Office for forwarding to the Government Printing Office.

§ 3.17 Overruns of Federal Register publications.

To meet requirements for special distribution in substantial quantity, agencies may requisition overruns of any Federal Register publication by the timely submission of a printing and binding requisition (Standard Form 1) to the Government Printing Office. Detailed information regarding quantity overruns of each specific publication is provided in this chapter under § 3.6 (slip laws, U.S. Statutes at Large); §§ 15.6 and 15.7 (FEDERAL REGISTER); § 30.15 (Code of Federal Regulations); § 31.25 (U.S. Government Organization Manual); § 32.18 (Public Papers of the Presidents of the United States); and § 32.40 (Weekly Compilation of Presidential Documents).

§ 3.18 Special editorial service.

The Office is prepared to compile and collate Code units as of a given date in order to assist the issuing agency in preparing a document for publication in the FEDERAL REGISTER. Requests for this service may be made to the Office informally.

§ 3.19 Supplementary loose-leaf services.

The Director is authorized to cooperate with agencies in developing supplementary loose-leaf services covering special areas in which the need is sufficient to justify any added costs.

PART 4—AGENCY REPRESENTATIVES

- Sec.
- 4.1 Designation.
 - 4.2 Notification of designation.
 - 4.3 Liaison duties.
 - 4.4 Certifying duties.
 - 4.5 Authorizing duties.

AUTHORITY: The provisions of this Part 4 issued under sec. 6, 49 Stat. 501, as amended;

44 U.S.C. 306, Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

§ 4.1 Designation.

Each agency shall designate representatives to serve in the following-described capacities in relation to the Office of the Federal Register:

Liaison officer and alternate.
Certifying officer and alternate.
Authorizing officer and alternate.

§ 4.2 Notification of designation.

Every agency shall notify the Director in writing of the name, title, address, and telephone extension of each agency representative designated in compliance with § 4.1. Whenever a change in representation is made by an agency, prompt notification thereof shall be given in writing to the Director.

§ 4.3 Liaison duties.

The liaison officer shall represent his agency in all matters relating to the submission of documents to the Office and respecting general compliance with the provisions of this chapter. He also shall be responsible for the effective distribution and use within his agency of Federal Register information on document drafting and publication assistance authorized by § 3.10 of this chapter, and for promoting his agency's participation in the programs of technical instruction authorized by § 3.11 of this chapter. Additional liaison duties, with respect to the U.S. Government Organization Manual, are described in § 31.12 of this chapter.

§ 4.4 Certifying duties.

The certifying officer shall be responsible for the attachment of the required number of true copies to all original documents submitted by his agency to the Office and for affixing his certification, as provided by §§ 16.6 and 16.7 of this chapter.

§ 4.5 Authorizing duties.

The authorizing officer shall be responsible for furnishing the Director with a current mailing list of individuals or offices authorized under the provisions of this chapter to receive for official use the FEDERAL REGISTER, the Code of Federal Regulations, and the Weekly Compilation of Presidential Documents.

SUBCHAPTER B—PRESIDENTIAL PROCLAMATIONS AND EXECUTIVE ORDERS

PART 7—PREPARATION, PRESENTATION, FILING, AND PUBLICATION OF EXECUTIVE ORDERS AND PROCLAMATIONS

- Sec.
7.1 Form.
7.2 Routing and approval of drafts.
7.3 Routing and certification of originals and copies.
7.4 Proclamations calling for the observance of special days or events.
7.5 Proclamations of treaties excluded.
7.6 Definition.

NOTE: The provisions of this Part 7 are derived from sections 1 to 6 of Executive Order 11030, 27 F.R. 5847, 3 CFR, 1962 Supp.

CROSS REFERENCE: For provisions respecting publication of Presidential documents

in the Code of Federal Regulations, see § 30.8 of this chapter.

§ 7.1 Form.

Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(a) The order or proclamation shall be given a suitable title.

(b) The order or proclamation shall contain a citation of the authority under which it is issued.

(c) Punctuation, capitalization, spelling, and other matters of style shall, in general, conform to the most recent edition of the United States Government Printing Office Style Manual.

(d) The spelling of geographic names shall conform to the decisions of the Board on Geographic Names, established by section 2 of the act of July 25, 1947, 61 Stat. 456 (43 U.S.C. 364a).

(e) Descriptions of tracts of land shall conform, so far as practicable, to the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," prepared by the Bureau of Land Management, Department of the Interior.

(f) Proposed Executive orders and proclamations shall be typewritten on paper approximately 8 x 13 inches, shall have a left-hand margin of approximately 1½ inches and a right-hand margin of approximately 1 inch, and shall be double-spaced except that quotations, tabulations, and descriptions of land may be single-spaced.

§ 7.2 Routing and approval of drafts.

(a) A proposed Executive order or proclamation shall first be submitted, with seven copies thereof, to the Director of the Bureau of the Budget, together with a letter, signed by the head or other properly authorized officer of the originating Federal agency, explaining the nature, purpose, background, and effect of the proposed Executive order or proclamation and its relationship, if any, to pertinent laws and other Executive orders or proclamations.

(b) If the Director of the Bureau of the Budget approves the proposed Executive order or proclamation, he shall transmit it to the Attorney General for his consideration as to both form and legality.

(c) If the Attorney General approves the proposed Executive order or proclamation, he shall transmit it to the Director of the Office of the Federal Register, National Archives and Records Service, General Services Administration: *Provided*, That in cases involving sufficient urgency the Attorney General may transmit it directly to the President: *And provided further*, That the authority vested in the Attorney General by this section may be delegated by him, in whole or in part, to the Deputy Attorney General, Solicitor General, or to such Assistant Attorney General as he may designate.

(d) After determining that the proposed Executive order or proclamation conforms to the requirements of § 7.1 and is free from typographical or clerical error, the Director of the Office of the

Federal Register shall transmit it and three copies thereof to the President.

(e) If the proposed Executive order or proclamation is disapproved by the Director of the Bureau of the Budget or by the Attorney General, it shall not thereafter be presented to the President unless it is accompanied by a statement of the reasons for such disapproval.

§ 7.3 Routing and certification of originals and copies.

(a) If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Office of the Federal Register for publication in the FEDERAL REGISTER: *Provided*, That prior to such forwarding the Seal of the United States shall be affixed to the originals of proclamations to the extent required by statute or Executive order.

(b) The Office of the Federal Register shall cause to be placed upon the copies of all Executive orders and proclamations forwarded as provided in paragraph (a) of this section the following notation, to be signed by the Director or by some person authorized by him to sign such notation: "Certified to be a true copy of the original."

§ 7.4 Proclamations calling for the observance of special days or events.

Except as may be otherwise provided by law, responsibility for the preparation and presentation of proposed proclamations calling for the observance of special days, or other periods of time, or events shall be assigned by the Director of the Bureau of the Budget to such agencies as he may consider appropriate. Such proposed proclamations shall be submitted to the Director at least 60 days before the date of the specified observance.

§ 7.5 Proclamations of treaties excluded.

Consonant with the provisions of section 12 of the Federal Register Act (49 Stat. 503; 44 U.S.C. 312), nothing in this order shall be construed to apply to treaties, conventions, protocols, or other international agreements, or proclamations thereof by the President.

§ 7.6 Definition.

The term "Presidential proclamations and Executive orders," as used in section 5(a) of the Federal Register Act (44 U.S.C. 305(a)), shall, except as the President or his representative may hereafter otherwise direct, be deemed to include such attachments thereto as are referred to in the respective proclamations or orders.

SUBCHAPTER C—THE FEDERAL REGISTER

PART 10—GENERAL

- Sec.
10.1 Publication policy.
10.2 Daily publication.
10.3 Keying to Code of Federal Regulations.
10.4 Form of citation.
10.5 Unrestricted use.

AUTHORITY: The provisions of this Part 10 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306, Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

§ 10.1 Publication policy.

(a) Pursuant to the act and the provisions of this chapter, the Office shall maintain a serial publication designated as the "FEDERAL REGISTER." It is the intent of the Administrative Committee that documents required or authorized to be filed for publication shall be published in the FEDERAL REGISTER as promptly as possible within limitations imposed by considerations of accuracy, usability, and reasonable costs.

(b) In prescribing rules governing headings, preambles, effective dates, authority citations, and similar matters of form, the Administrative Committee does not intend such rules to be construed as bearing on the validity of any document which is, in fact, filed and published under law.

§ 10.2 Daily publication.

The FEDERAL REGISTER shall be published daily Tuesday through Saturday. There shall be no publication on Sunday, Monday, or on the day after an official Federal holiday.

§ 10.3 Keying to Code of Federal Regulations.

Documents subject to codification, published in the daily issues of the FEDERAL REGISTER, shall be keyed to the Code of Federal Regulations and shall serve as daily supplements thereto.

§ 10.4 Form of citation.

Without prejudice to any other mode of citation, the contents of the FEDERAL REGISTER may be cited by volume and page number. The approved short form of citation to the FEDERAL REGISTER is "F.R." Thus "29 F.R. 3820" refers to material beginning on page 3820 of volume 29 of the daily issues.

§ 10.5 Unrestricted use.

There are no restrictions on the reproduction or republication of materials appearing in the FEDERAL REGISTER.

PART 11—MANDATORY, AUTHORIZED, AND PROHIBITED PUBLICATION

MANDATORY

- | | |
|------|--|
| Sec. | |
| 11.1 | Proclamations, Executive orders, and other Presidential documents. |
| 11.2 | Documents having general applicability and legal effect. |
| 11.3 | Classes created by act of Congress. |

AUTHORIZED

- | | |
|------|-------------------------------|
| 11.5 | Documents of public interest. |
|------|-------------------------------|

EXPIRATION NOTICES

- | | |
|------|--|
| 11.7 | Notification of expiration of codified material. |
|------|--|

CORRECTION OF ERRORS

- | | |
|-------|----------------------|
| 11.10 | Errors in documents. |
| 11.11 | Errors in printing. |

UNAUTHORIZED OR PROHIBITED

- | | |
|-------|------------------------------|
| 11.20 | Comments and news items. |
| 11.21 | International agreements. |
| 11.22 | Papers other than documents. |

AUTHORITY: The provisions of this Part 11 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

MANDATORY

§ 11.1 Proclamations, Executive orders, and other Presidential documents.

All Presidential proclamations and Executive orders in the numbered series, and all other documents which the President submits for publication or orders to be published, are filed with the Office and published in the FEDERAL REGISTER.

§ 11.2 Documents having general applicability and legal effect.

Every document issued under proper authority prescribing a penalty or a course of conduct, conferring a right, privilege, authority, or immunity, or imposing an obligation, and relevant or applicable to the general public, the members of a class, or the persons of a locality, as distinguished from named individuals or organizations, is hereby determined to have general applicability and legal effect. Such documents shall be filed with the Office and published in the FEDERAL REGISTER.

§ 11.3 Classes created by act of Congress.

Documents or classes of documents required to be published by act of Congress shall be filed with the Office and published in the FEDERAL REGISTER.

AUTHORIZED

§ 11.5 Documents of public interest.

Other documents which in the opinion of the Director are of sufficient public interest to warrant such publication may be filed with the Office and published in the FEDERAL REGISTER.

EXPIRATION NOTICES

§ 11.7 Notification of expiration of codified material.

(a) Whenever a document subject to codification expires after a specified period by its own terms or by statutory provision, notification by document of the actual expiration date should be submitted for publication in the FEDERAL REGISTER.

(b) If the preparation of such a document is not expedient, the responsible agency shall provide the Director with timely notification in writing that the document is no longer in effect, citing the pertinent terms.

CORRECTION OF ERRORS

§ 11.10 Errors in documents.

After a document has been formally filed for public inspection and publication, errors in the substantive text thereof may be corrected only by the formal filing and publication of another document effecting the correction.

§ 11.11 Errors in printing.

Typographical or clerical errors made in the printing of the FEDERAL REGISTER shall be corrected by the insertion of an appropriate notation or by a reprinting in the FEDERAL REGISTER published without further agency documentation: *Provided*, That the Director determines that the error (1) tends to confuse or mislead the reader, or (2) would affect text subject to codification.

UNAUTHORIZED OR PROHIBITED

§ 11.20 Comments and news items.

The act prohibits the publication in the FEDERAL REGISTER of comments or news items of any character whatsoever (44 U.S.C. 305(b)).

§ 11.21 International agreements.

The act does not apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President (44 U.S.C. 312).

NOTE: The materials described in § 11.21 are published by the Secretary of State pursuant to 1 U.S.C. 112a.

§ 11.22 Papers other than documents.

The act authorizes and requires the publication of certain "documents," as that term is defined in section 4 of the act (44 U.S.C. 304), and does not authorize or require the publication of papers that do not come within that definition.

PART 12—PUBLICATION SCHEDULES

- | | |
|------|-------------------------------|
| Sec. | |
| 12.1 | Publication schedules. |
| 12.2 | Receipt and processing. |
| 12.3 | Filing for public inspection. |

EMERGENCY SCHEDULE

- | | |
|------|----------------------------------|
| 12.5 | Procedure for Schedule 1. |
| 12.6 | Criteria for Schedule 1. |
| 12.7 | Timing. |
| 12.8 | Transmittal from distant points. |

REGULAR SCHEDULE

- | | |
|-------|---------------------------|
| 12.11 | Procedure for Schedule 2. |
| 12.12 | Timing. |

SPECIAL SCHEDULE

- | | |
|-------|---------------------------|
| 12.15 | Procedure for Schedule 3. |
| 12.16 | Criteria for Schedule 3. |
| 12.17 | Timing. |

AUTHORITY: The provisions of this Part 12 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

§ 12.1 Publication schedules.

Documents properly submitted for publication in the FEDERAL REGISTER shall be immediately assigned by the Office to one of the following publication schedules:

- Schedule 1—Emergency.
Schedule 2—Regular.
Schedule 3—Special.

§ 12.2 Receipt and processing.

Documents shall be received during a working day. Upon receipt, documents shall be held for confidential processing until filed for public inspection.

§ 12.3 Filing for public inspection.

Documents shall be filed for public inspection on the working day preceding the publication day thereof. The Office shall place upon the original and certified copies of all documents a notation of the day and hour when they are filed and made available for public inspection. (See § 16.6 of this chapter.)

EMERGENCY SCHEDULE

§ 12.5 Procedure for Schedule 1.

A document shall be assigned to "Schedule 1—Emergency" upon specific

request of the issuing agency and agreement thereto by the Director. Requests may be made by letter of transmittal or otherwise, as time permits. Confirmation of the assignment shall be made as promptly as possible.

§ 12.6 Criteria for Schedule 1.

Schedule 1 is designed to provide the fastest possible publication of a document involving the prevention, alleviation, control, or relief of an emergency situation. Requests for such publication should briefly describe the emergency and the benefits attributable to immediate publication in the FEDERAL REGISTER. Assignments to Schedule 1 shall be allowed whenever feasible.

§ 12.7 Timing.

Documents received by the Office before noon and assigned to Schedule 1 shall be published in the daily issue next following. Whenever such documents are received in the afternoon, they shall be published as soon thereafter as practicable.

§ 12.8 Transmittal from distant points.

The text of a Schedule 1 document may be transmitted from a distant field installation to its Washington office by telecommunication. Certified transcriptions thereof may be filed forthwith, in advance of receipt of the original document. The original document must then be filed at the earliest possible time. In such cases, the publication date under Schedule 1 shall be based on receipt by the Office of the certified transcribed copies. (See § 16.1(c) of this chapter.)

REGULAR SCHEDULE

§ 12.11 Procedure for Schedule 2.

In the absence of special arrangement with the issuing agency, documents shall be assigned to Schedule 2 for regular publication. Receipt in the ordinary course of business shall be considered as a request for such publication.

§ 12.12 Timing.

Documents assigned to Schedule 2 shall be held for confidential processing, including typesetting, for one full working day after receipt, shall be filed by the Office for public inspection on the next working day, and shall be published on the publication day next following the day of filing. Thus the regular schedule of publication shall be as follows:

Received	Filed	Published
Monday.....	Wednesday....	Thursday.
Tuesday.....	Thursday.....	Friday.
Wednesday....	Friday.....	Saturday.
Thursday.....	Monday.....	Tuesday.
Friday.....	Tuesday.....	Wednesday.

SPECIAL SCHEDULE

§ 12.15 Procedure for Schedule 3.

(a) Documents received in the ordinary course of business may be assigned to Schedule 3 by the Director, who shall cause the liaison officer concerned to be immediately notified of the assignment and the reasons therefor.

(b) Documents that are the subject of agreements involving special editorial or

publication services may be placed in Schedule 3 by prearrangement.

§ 12.16 Criteria for Schedule 3.

Except by prearrangement, documents may be assigned to Schedule 3 only because of technical problems requiring additional time to prepare material for the press. Such requirement for additional time generally may be obviated through advance consultation with the Office respecting unusual tabulations, illustrations, or exceptionally voluminous submissions.

§ 12.17 Timing.

(a) Except as provided in paragraph (b) of this section, documents assigned to Schedule 3 because of technical problems shall be published as nearly on regular schedule as practicable.

(b) Documents assigned to Schedule 3 by prearrangement shall be published on the date agreed upon, without regard to the regular schedule.

PART 13—ORDER OF ARRANGEMENT IN THE FEDERAL REGISTER

Sec.

- 13.1 General.
- 13.2 The President.
- 13.3 Rules and Regulations.
- 13.4 Proposed Rule Making.
- 13.5 Notices.

AUTHORITY: The provisions of this Part 13 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

§ 13.1 General.

Documents published in the FEDERAL REGISTER shall be arranged under four principal headings in the following order:

- The President.
- Rules and Regulations.
- Proposed Rule Making.
- Notices.

§ 13.2 The President.

There shall be published under this heading all Executive orders and proclamations in the numbered series, and all other Presidential documents which the President submits for publication or orders to be published.

§ 13.3 Rules and Regulations.

There shall be published under this heading all other documents subject to codification.

§ 13.4 Proposed Rule Making.

There shall be published under this heading all general notices of proposed rule making submitted pursuant to section 4(a) of the Administrative Procedure Act or pursuant to the provisions of any other act, and similar notices voluntarily undertaken by the issuing agency.

§ 13.5 Notices.

There shall be published under this heading all documents not falling within the provisions of §§ 13.2 to 13.4. These documents include:

(a) Miscellaneous documents not subject to codification.

(b) Notices of hearings that are not included under proposed rule making.

(c) Documents which in the opinion of the Director are of sufficient public interest to warrant publication. (See § 11.5 of this chapter.)

PART 14—INDEXES AND ANCILLARIES

SUBJECT INDEXES

Sec.

- 14.1 Daily contents.
- 14.2 Analytical subject indexes.

NUMERICAL FINDING AIDS

- 14.5 Daily Codification Guides.
- 14.6 Monthly Cumulative Codification Guides.

AUTHORITY: The provisions of this Part 14 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

SUBJECT INDEXES

§ 14.1 Daily contents.

The contents of each FEDERAL REGISTER shall be appropriately indexed under the names of the issuing agencies.

§ 14.2 Analytical subject indexes.

Analytical subject indexes covering the contents of the FEDERAL REGISTER shall be separately published as currently as practicable, and shall be cumulated and separately published at least once each calendar year.

NUMERICAL FINDING AIDS

§ 14.5 Daily codification guides.

Each daily issue shall carry a numerical list of the parts of the Code expressly affected by documents published in that issue. Beginning with the second issue of the month, each daily issue shall also carry a cumulated list of the parts affected by documents published during that month.

§ 14.6 Monthly cumulative codification guides.

Monthly codification guides shall be separately published on a cumulative basis during each calendar year. They shall contain a cumulative numerical list of the sections of the Code expressly affected by documents published in the FEDERAL REGISTER during the period covered.

PART 15—DISTRIBUTION OF FEDERAL REGISTER

Sec.

- 15.1 General.

OFFICIAL DISTRIBUTION

- 15.3 The Congress.
- 15.4 Judicial branch.
- 15.5 Executive agencies.
- 15.6 Requisitions for quantity overruns of specific issues.
- 15.7 Requisitions for quantity overruns of separate Part II issues.
- 15.8 Extra copies.

PUBLIC SALE

- 15.10 Monthly or annual subscription.
- 15.11 Individual copies.

AUTHORITY: The provisions of this Part 15 issued under sec. 6, 49 Stat. 501, as amended;

44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

§ 15.1 General.

The Government Printing Office shall make distribution of the FEDERAL REGISTER by delivery or by deposit at a post office at or before 9:00 a.m. of the publication day.

OFFICIAL DISTRIBUTION

§ 15.3 The Congress.

Members of the Congress shall be entitled to a maximum of 5 copies daily.

§ 15.4 Judicial branch.

(a) *Supreme Court.* The FEDERAL REGISTER shall be furnished without charge to the United States Supreme Court in such numbers as are needed for official use.

(b) *Other courts.* The FEDERAL REGISTER shall be furnished without charge to the other constitutional courts and the legislative courts of the United States in such numbers as are needed for official use. The Director of the Administrative Office of the United States Courts or his delegate shall submit written authorizations to the Director of the Federal Register specifying the quantities so required.

§ 15.5 Executive agencies.

The FEDERAL REGISTER shall be furnished without charge to officers and employees of the United States in such numbers as are needed for official use. Requests for placement on the FEDERAL REGISTER mailing list shall be made, in writing, to the Director by the person in the agency concerned who is authorized under §§ 4.1 and 4.5 of this chapter to list offices and employees who need to receive the FEDERAL REGISTER for official use.

§ 15.6 Requisitions for quantity overruns of specific issues.

To meet requirements for special distribution of the FEDERAL REGISTER in substantial quantity, agencies may request an overrun of a specific issue. Advance printing and binding requisitions (Standard Form 1), submitted by the agency directly to the Government Printing Office, must be received no later than 12 noon of the day before publication.

§ 15.7 Requisitions for quantity overruns of separate Part II issues.

Whenever copies in substantial quantity are required of a document estimated to fill at least sixteen FEDERAL REGISTER pages (approximately 80 or more typewritten double-spaced pages), such document may be published as a separate Part II of the FEDERAL REGISTER. Advance arrangements for this service must be made with the Office of the Federal Register. Copies of any such Part II may then be obtained by following the procedure described in § 15.6.

§ 15.8 Extra copies.

Requests for limited quantities of extra copies of a particular issue of the FEDERAL REGISTER for official use must be addressed to the Superintendent of Documents, Government Printing Office,

Washington, D.C. 20402. Extra copies must be paid for by the agency or official requesting them.

PUBLIC SALE

§ 15.10 Monthly or annual subscription.

The daily issues of the FEDERAL REGISTER shall be furnished to subscribers on a monthly or an annual basis, at a price determined by the Administrative Committee. The subscription price must be paid in advance to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

§ 15.11 Individual copies.

Limited quantities of current or recent copies may be obtained from the Superintendent of Documents at a price determined by him.

PART 16—PREPARATION AND TRANSMITTAL OF DOCUMENTS GENERALLY

ORIGINAL AND COPIES

- Sec. 16.1 Original and copies required.
- 16.2 Letters of transmittal.
- 16.3 Letter form.
- 16.4 Typewritten originals.
- 16.5 Printed or processed documents.
- 16.6 Certified copies.
- 16.7 Form of certification.
- 16.8 Signature.
- 16.9 Seal.

STYLE

- 16.15 Punctuation, capitalization, orthography.
- 16.16 Geographic names.
- 16.17 Descriptions of tracts of land.

ILLUSTRATIONS, TABULAR MATERIAL, AND FORMS

- 16.20 Illustrations and tabular material.
- 16.21 Forms.

AUTHORITY: The provisions of this Part 16 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

CROSS REFERENCE: For preparation of Presidential proclamations and Executive orders, see Subchapter B of this chapter.

ORIGINAL AND COPIES

§ 16.1 Original and copies required.

(a) Ordinarily an original and two duplicate originals or certified copies of all documents required or authorized to be published in the FEDERAL REGISTER shall be submitted to the Office.

(b) Agencies submitting documents printed or processed on both sides shall furnish, in addition to an original, three duplicate originals or certified copies.

(c) In the case of documents issued outside the District of Columbia, certified text may be submitted in lieu of the original (see § 12.8 of this chapter). The certified text must be replaced by the original document as soon as possible for filing as required by section 2 of the Federal Register Act.

§ 16.2 Letters of transmittal.

Letters of transmittal are not required, but should be used whenever special handling or treatment is desired. (See Part 12 of this chapter.)

§ 16.3 Letter form.

The Code of Federal Regulations should never be amended by an instrument in the form of a letter. In fact, a letter is not an appropriate form for any document prepared for publication in the Rules and Regulations, Proposed Rule Making, or Notices portions of the FEDERAL REGISTER.

§ 16.4 Typewritten originals.

In general, documents shall be typewritten on white bond paper approximately 8 by 10½ inches, shall have a left-hand margin of approximately 1½ inches, and a right-hand margin of approximately 1 inch, and shall be double-spaced.

§ 16.5 Printed or processed documents.

Printed or processed documents may be accepted for filing and publication. The submitting agency shall obtain the prior approval of the Director respecting the suitability of such submission as an archival original and as printer's copy. Under no circumstances shall photostatic copies be accepted as original documents.

§ 16.6 Certified copies.

The certified copies or duplicate originals required under § 16.1 shall be attached to the original of all documents. All copies shall be entirely clear and legible. Copies of typewritten originals shall consist of either positive photostats on paper of a matte surface, electrostatic copies, or the first two carbon copies of the ribbon original. The time of filing and publication shall be governed by the time when clear and legible copies are submitted.

§ 16.7 Form of certification.

The copies of all documents required or authorized to be filed with the Office, except documents issued by the President, shall be certified substantially as follows: "Certified to be a true copy of the original". Each such certification shall be signed by a certifying officer designated pursuant to § 4.1 of this chapter.

§ 16.8 Signature.

All original and duplicate original documents shall be signed in ink. Initials and impressed signatures shall not be acceptable. The name and title of the official signing the document shall be typed beneath his signature.

§ 16.9 Seal.

Affixation of a seal to original documents or certified copies is optional with the issuing agency.

STYLE

§ 16.15 Punctuation, capitalization, orthography.

Punctuation, capitalization, orthography, and other matters of style shall conform in general to the most recent edition of the United States Government Printing Office Style Manual.

§ 16.16 Geographic names.

The spelling of geographic names shall conform to the most recent official deci-

sions of the Board on Geographic Names established pursuant to the act of July 25, 1947 (61 Stat. 456; 43 U.S.C. 364a).

§ 16.17 Descriptions of tracts of land.

Descriptions of tracts of land shall conform, so far as practicable, with the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," prepared by the Bureau of Land Management, Department of the Interior.

ILLUSTRATIONS, TABULAR MATERIAL, AND FORMS

§ 16.20 Illustrations and tabular material.

Whenever possible documents should be so drafted as to make the inclusion of illustrations and tabular material unnecessary. If their inclusion cannot be avoided, the documents will be assigned to publication Schedule 3 (§§ 12.15-12.17), and the following provisions shall apply:

(a) *Illustrations.* The original drawings, or clear reproductions, of all maps, charts, graphs, or other illustrations shall be submitted to the Office six working days before the date on which publication is desired. A legible reproduction of the original illustration reduced to a size approximating 8 by 10½ inches, shall appear as part of the original document and the required certified copies.

(b) *Tabular material.* Tabular material comprising more than two typewritten pages shall be forwarded to the Office six working days before the date on which publication is desired.

§ 16.21 Forms.

Tabulated blank forms for application, registration, reports, contracts, and the like, and the instructions for preparing such forms ordinarily shall not be published in full. In lieu thereof there may be submitted for publication a simple statement describing the function of the form and indicating the place, or places, where copies may be obtained.

PART 17—PREPARATION OF DOCUMENTS SUBJECT TO CODIFICATION

Subpart A—General Requirements

- Sec.
17.1 General provisions.
17.2 Descriptions of organization.
17.3 Orderly development.

CODE STRUCTURE

- 17.4 Titles.
17.5 Chapters.
17.6 Parts.
17.7 Sections.
17.8 Subtitles.
17.9 Subchapters.
17.10 Subparts and undesignated center heads.

NORMAL NUMBERING

- 17.12 Titles.
17.13 Chapters.
17.14 Parts.
17.15 Sections.
17.16 Internal divisions of sections.
17.17 Subtitles, subchapters, and subparts.
17.18 Reservation of numbers.

SPECIAL NUMBERING PROBLEMS

- Sec.
17.20 Addition of new units between existing units.
17.21 Vacated numbers.
17.22 Keying to agency numbering systems.
17.23 Statements of general policy; interpretations.

HEADINGS

- 17.26 Required Code headings.
17.27 Additional captions.
17.28 Tables of contents.
17.29 Composition of part headings.

AMENDMENTS

- 17.32 General requirements.

REFERENCES

- 17.34 General requirements.
17.35 References to FEDERAL REGISTER.
17.36 References between or within titles of the Code.
17.37 Parallel citation of FEDERAL REGISTER and Code.
17.38 References to 1938 edition of Code.

EFFECTIVE-DATE STATEMENTS

- 17.41 Effective dates.

Subpart B—Citations of Authority

- 17.45 General requirements.
17.46 Agency responsibility; amendments.
17.47 Provision for flexibility.

PLACEMENT

- 17.50 Coverage of single section.
17.51 Blanket coverage.
17.52 Combined blanket and separate coverage.
17.53 Combined blanket coverage.
17.54 Documents involving various amendments.
17.55 Non-statutory elements.

FORM

- 17.60 General.
17.61 Statutory materials.
17.62 Non-statutory materials.

AUTHORITY: The provisions of this Part 17 issued under sec. 6, 49 Stat. 501, as amended, sec. 11, 67 Stat. 388, as amended; 44 U.S.C. 306, 311. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

CROSS REFERENCE: For preparation of Presidential proclamations and Executive orders, see Subchapter B of this chapter.

Subpart A—General Requirements

§ 17.1 General provisions.

All documents subject to codification shall be drafted as amendments to the Code of Federal Regulations and prepared in accordance with the provisions of this part and of Part 16 of this chapter before submission to the Office. Each such document shall contain a promulgation statement precisely describing the relationship of the new provisions to existing provisions of the Code.

§ 17.2 Descriptions of organization.

The Director is authorized to designate documents submitted under section 3 (a) (1) of the Administrative Procedure Act as "documents subject to codification" under special agreement with the issuing agency. Such agreements shall be based on a formal statement, signed by the head of the agency, to the effect that (a) publication in the Code is necessary or desirable for the effective discharge of the agency's functions or activities, and (b) publication in the Code

may be discontinued by order of the Administrative Committee for failure of the agency to keep publication current.

§ 17.3 Orderly development.

For the purpose of assuring orderly development along practical lines, the Director is authorized to establish new titles in the Code and to rearrange existing titles and subordinate assignments. Before taking such actions, the Director shall consult with all agencies directly affected by a proposed change.

CODE STRUCTURE

§ 17.4 Titles.

The major divisions of the Code are titles, which bring together broadly related governmental functions.

§ 17.5 Chapters.

The normal divisions of titles are chapters, which are assigned to the various agencies within titles descriptive of the subject matter covered by the agencies' rules and regulations.

§ 17.6 Parts.

The normal divisions of chapters are parts. A part should consist of a unified body of rules or regulations applying to a specific function of the issuing agency or devoted to specific subject matter under control of the issuing agency. Parts are normally assigned to chapters as follows: Chapter I, Parts 1 to 199; Chapter II, Parts 200 to 299; Chapter III, Parts 300 to 399; etc.

§ 17.7 Sections.

The normal divisions of parts are sections. The section is the basic unit of the Code. It should consist of a short, simple presentation of one principal proposition.

§ 17.8 Subtitles.

Subtitles may be used to distinguish between material emanating from an overall office or agency and the material issued by its various components. Subtitles may also be used to otherwise group chapters within a title.

§ 17.9 Subchapters.

Subchapters may be used to group related parts within a chapter.

§ 17.10 Subparts and undesignated center heads.

Subparts or undesignated center heads may be used to group related sections within a part. Undesignated center heads may also be used to group sections within a subpart.

NORMAL NUMBERING

§ 17.12 Titles.

Titles are numbered consecutively in Arabic throughout the Code.

§ 17.13 Chapters.

Chapters are numbered consecutively in Roman capitals throughout each title.

§ 17.14 Parts.

Parts are numbered in Arabic throughout each title.

§ 17.15 Sections.

Sections are numbered in Arabic throughout each part. A section number shall include the number of the part set off by a decimal point. Thus, the section number for section 15 within Part 17 is § 17.15.

§ 17.16 Internal divisions of sections.

Whenever internal divisions are necessary, sections shall be subdivided into paragraphs, paragraphs into subparagraphs, and subparagraphs into subdivisions, designated as follows:

Terminology:	Illustrative symbol
Paragraph	(a)
Subparagraph	(1)
Subdivision	(i)

§ 17.17 Subtitles, subchapters, and subparts.

Subtitles and subchapters are lettered consecutively in capitals throughout the title and the chapter respectively. Subparts may be lettered in capitals or may be undesignated.

§ 17.18 Reservation of numbers.

Where related parts or related sections are grouped under a heading as provided for in §§ 17.9 and 17.10, numbers should be reserved at the end of each group to allow for expansion.

SPECIAL NUMBERING PROBLEMS

§ 17.20 Addition of new units between existing units.

(a) If it becomes necessary to introduce a new part or section between existing parts or sections the new part or section shall be designated by the addition of a lowercase letter to the preceding part or section number. Thus, a part introduced between Parts 31 and 32 would be numbered Part 31a, and a section introduced between § 31.1 and § 31.2 would be numbered § 31.1a.

(b) If it should become necessary to introduce a paragraph between existing paragraphs, and revision of the entire section is not desirable, the new paragraph shall be designated by the addition of a hyphen and Arabic number to the letter designating the preceding paragraph. Thus, a paragraph introduced between paragraphs (a) and (b) would be numbered as paragraph (a-1).

(c) Should it become necessary to introduce a unit smaller than a paragraph between existing units, the entire paragraph should be revised.

§ 17.21 Vacated numbers.

Whenever a number is vacated by a revocation, the remaining elements in the overall unit shall retain their old numbers until the overall unit is completely revised. Prior to revision, the vacated number may be marked: [Reserved].

§ 17.22 Keying to agency numbering systems.

The keying of section numbers to make them correspond to particular numbering systems in use by the agency shall be permitted only when, in the opinion of the Director, the keying will be of benefit

both to the agency and to the public. In all cases prior approval for the use of keying systems shall be obtained from the Director.

§ 17.23 Statements of general policy; interpretations.

Whenever a statement of general policy or interpretation, submitted pursuant to section 3(a) (3) of the Administrative Procedure Act, applies to an entire part, it should be included in, or appended to, that part. Similarly, whenever a statement of policy or interpretation applies to a specific section it should be appended to that section. Statements of policy and interpretations of broader scope should be assigned to a part or group of parts within the chapter affected.

HEADINGS

§ 17.26 Required Code headings.

(a) The title, chapter, and part heading, in that order, shall be set forth in full on separate lines at the beginning of each document. Subtitle, subchapter, and subpart headings shall also be set forth if applicable.

(b) Each section shall be given a brief descriptive heading. The section heading shall precede the text on a separate line.

§ 17.27 Additional captions.

(a) For the purpose of publication in the daily FEDERAL REGISTER, a brief caption more specifically describing the scope of a document constituting a partial amendment of the material within a part shall be provided immediately below the part heading.

(b) Agencies using regulation numbers or other identifying symbols shall place them in brackets centered immediately above the part heading.

§ 17.28 Tables of contents.

Tables of contents shall be used whenever a new part is introduced or an existing part is completely revised and whenever a group of sections is revised or added and set forth as a subpart or otherwise separately grouped under a centerhead. These tables shall precede the text of the rules or regulations and shall list the headings for the sections to which they are applicable.

§ 17.29 Composition of part headings.

A part heading should indicate briefly the general subject matter of the material appearing in the part. The use of phrases such as "Regulations under the act of July 26, 1955" or other expressions which are not descriptive of the subject matter should be avoided. Introductory expressions such as "Regulations governing" or "Rules applicable to" should not be used.

AMENDMENTS

§ 17.32 General requirements.

(a) When necessary for clarity, each amendatory document should include a brief statement of the nature and extent of the changes made.

(b) The number and heading of each section amended shall be set forth in full on a separate line.

(c) The text of each typographical unit amended shall be set forth in full as amended.

(d) Asterisks shall be used to indicate ellipsis of text retained without change. A separate line of five asterisks shall be used to indicate the ellipsis of one or more complete typographical units. A run-in line of three asterisks shall be used to indicate ellipsis of anything less than a complete typographical unit (see § 40.15 of this chapter).

REFERENCES

§ 17.34 General requirements.

All references to the Code shall be in terms of the specific titles, parts, sections, and paragraphs involved. Ambiguous references such as "herein", "above", "below", and the like shall never be used. All documents which contain reference to material published in the Code shall include the Code citation as part of such reference.

§ 17.35 References to Federal Register.

The contents of the FEDERAL REGISTER should be referred to by volume and page number. Thus material beginning on page 3820 of volume 29 should be cited: 29 F.R. 3820.

§ 17.36 References between or within titles of the Code.

Unless the meaning is otherwise precisely expressed and undue or awkward repetition would result, references should be as follows:

(a) *Between titles.* When reference is made to material codified under a title other than that in which the reference occurs, the short form of citation should be used. Thus a reference made within Title 41 to § 2.4 of Title 1 should be in the following form: 1 CFR 2.4.

(b) *Within titles.* When reference is made to material codified in the same title, the following forms should be used:

Chapter II of this title.
Part 30 of this title.
§ 30.19 of this title.

(c) *Within chapters.* When reference is made to material codified in the same chapter, the following forms should be used:

Part 30 of this chapter.
§ 30.19 of this chapter.

(d) *Within sections.* Reference to other units within the same section should be cited as "paragraph (a) of this section" or "subparagraph (1) of this paragraph".

§ 17.37 Parallel citation of Federal Register and Code.

When appropriate, the Code and the FEDERAL REGISTER may be cited for parallel reference in the following forms:

18 CFR 157.18 (29 F.R. 4879).
§ 157.18 of this chapter (29 F.R. 4879).

§ 17.38 References to 1933 edition of Code.

Reference to the 1933 edition of the Code and supplements thereto may be made in the following forms:

1 CFR, 1933 ed., I.1.

1 CFR, 1943, Cum. Supp., 2.1.
1 CFR, 1946 Supp., 2.1.

EFFECTIVE-DATE STATEMENTS

§ 17.41 Effective dates.

Each document subject to codification shall include a clear statement as to the date or dates on which its provisions are effective.

Subpart B—Citations of Authority

§ 17.45 General requirements.

Each section in a document subject to codification shall include, or shall be covered by, a complete citation of the rule making authority under which the provisions of the section are issued, including (a) general rule making authority delegated by statute (b) specific rule making authority, if any, delegated by statute and, (c) executive delegations, if any, necessary to link the statutory authority to the issuing agency.

§ 17.46 Agency responsibility; amendments.

The accuracy and integrity of citations of authority are the responsibility of the issuing agency. Such citations shall be formally amended by the issuing agency to reflect changes in authority.

§ 17.47 Provision for flexibility.

The Director is authorized to make exceptions to requirements respecting the placement and form of citations of authority whenever strict application of such requirements would impair the practical usefulness of such citations.

PLACEMENT

§ 17.50 Coverage of single section.

Authority covering a single section shall be cited in parentheses on a separate line immediately following the text of the section. Thus:

(67 Stat. 388; as amended; 44 U.S.C. 311)

§ 17.51 Blanket coverage.

Authority covering a group of two or more consecutive sections shall be cited following the word "AUTHORITY" and placed as a text note immediately preceding the first section in the group. Thus:

AUTHORITY: The provisions of this Part 1 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306.

§ 17.52 Combined blanket and separate coverage.

Whenever individual sections within a group covered by a blanket citation reflect additional authority, a combined form shall be used: Thus:

AUTHORITY: The provisions of this Part 7 issued under sec. 6, 40 Stat. 501, as amended; 44 U.S.C. 306, unless otherwise noted.

§ 17.53 Combined blanket coverage.

Whenever a group of two or more consecutive sections within a broader group covered by a blanket citation reflect the same additional authority, combined blanket citations shall be used. Thus:

AUTHORITY: The provisions of this Part 7 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. §§ 7.1 to 7.11 also issued under 67 Stat. 388, as amended; 44 U.S.C. 311.

§ 17.54 Documents involving various amendments.

(a) Whenever a document prescribes various amendments, issued under common authority, the citation to such authority shall be placed in parentheses on a separate line following the last amendment.

(b) Whenever a document prescribes various amendments issued under varying authorities, each amendatory proposition shall be followed by the appropriate citation in parentheses on a separate line.

§ 17.55 Non-statutory elements.

Documents required to be cited as authority shall be placed after any required statutory elements. Thus:

AUTHORITY: The provisions of this Part 201 issued under sec. 401, 76 Stat. 902; 19 U.S.C. 1802. E.O. 11075, 28 P.R. 473; 3 CFR 1959-1963 Comp.

FORM

§ 17.60 General.

The shortest form of citation compatible with positive identification and ready reference should be used in all formal citations of authority. The Office is prepared to assist agencies in developing model citations under this criterion.

§ 17.61 Statutory materials.

(a) *Public laws.* Citations to current public laws should include reference to the volume and page of the U.S. Statutes at Large to which they have been assigned. Thus:

Sec. 11, Pub. Law 88-190, 77 Stat. 343.

(b) *Statutes at Large and U.S. Code.* In citing the U.S. Statutes at Large, reference should be made to section, volume, and page. The page number should refer to the page on which the section cited begins. The parallel U.S. Code citation shall be given whenever possible. In multiple citations, references to the Statutes should be arranged chronologically and grouped separately, preceding the group of parallel U.S. Code citations.

§ 17.62 Non-statutory materials.

Documents should be cited by FEDERAL REGISTER volume and page, followed if possible, by the parallel citation to the Code of Federal Regulations. Thus:

T.D. 6721, 29 P.R. 4997.
Special Civil Air Reg. SR-422A, 28 P.R. 6703;
14 CFR Part 4b.
E.O. 11130, 28 P.R. 12789; 3 CFR 1959-1963 Comp.

PART 18—PREPARATION OF NOTICES AND RULE MAKING PROPOSALS

NOTICES IN GENERAL

- | | |
|------|------------------------------|
| Sec. | |
| 18.1 | General requirements. |
| 18.2 | Name of issuing agency. |
| 18.3 | Name of agency subdivision. |
| 18.4 | Agency document designation. |
| 18.5 | Additional captions. |
| 18.6 | Authority citation. |

NOTICES OF PROPOSED RULE MAKING

- | | |
|-------|-----------------------|
| 18.10 | General requirements. |
| 18.11 | Code designation. |
| 18.12 | Codification. |

AUTHORITY: The provisions of this Part 18 issued under sec. 6, 49 Stat. 501, as amended;

44 U.S.C. 306. Sec. 6, E.O. 10530, 19 P.R. 2709; 3 CFR 1954-1958 Comp.

CROSS REFERENCE: For preparation of Presidential proclamations and Executive orders, see Subchapter B of this chapter.

NOTICES IN GENERAL

§ 18.1 General requirements.

Documents not subject to codification shall be prepared in conformity with the provisions of this part and of Part 16 of this chapter.

§ 18.2 Name of issuing agency.

The name of the issuing agency shall be carried at the beginning of the document.

§ 18.3 Name of agency subdivision.

Whenever a document is issued by or for a specific bureau, service, or similar unit within a department or overall agency, the name of such bureau, service, or unit shall be carried on a separate line immediately below the name of the issuing agency.

§ 18.4 Agency document designation.

Agencies using file numbers, docket numbers, or similar identifying symbols shall place them in brackets on a separate line immediately following the headings required by §§ 18.2 and 18.3.

§ 18.5 Additional captions.

A suitable short title identifying the subject shall be provided beginning on a separate line immediately following the other required caption or captions. Whenever appropriate, an additional brief caption indicating the nature of the document should be used.

§ 18.6 Authority citation.

The authority under which the document is issued should be cited in narrative form within text or in parentheses on a separate line following text.

NOTICES OF PROPOSED RULE MAKING

§ 18.10 General requirements.

Notices of proposed rule making required by section 4(a) of the Administrative Procedure Act or by any other act, and similar notices voluntarily undertaken, shall include a statement of (a) the time, place, and nature of public rule making proceedings; (b) reference to the authority under which the rule is proposed; and (c) either the terms or substance of the proposed rule or a description of the subjects and issues involved. Such notices shall conform to the provisions of this part and of Part 16 of this chapter.

§ 18.11 Code designation.

The area of the Code directly affected by a proposed rule shall be identified by placing the appropriate CFR citation in brackets immediately below the name of the issuing agency. Ordinarily this citation will consist of title and part, thus: [1 CFR Part 18].

§ 18.12 Codification.

Any portion of a proposed rule making document which consists of the full text of a proposed rule shall also conform to the provisions of Part 17 of this chapter.

SUBCHAPTER D—SPECIAL EDITIONS OF THE
FEDERAL REGISTER

PART 30—CODE OF FEDERAL
REGULATIONS

Subpart A—Publication

- Sec. 30.1 Publication policy.
- 30.2 Form of citation.
- 30.3 Unrestricted use.
- 30.4 Orderly development.
- 30.5 General format and binding.
- 30.6 Daily supplementation.
- 30.7 Periodic supplementation and republication.
- 30.8 Presidential documents, Title 3.
- 30.9 Indexes.
- 30.10 Ancillaries.
- 30.11 Agency cooperation.

Subpart B—Distribution
OFFICIAL DISTRIBUTION

- 30.12 Congressional committees.
- 30.13 Judicial branch.
- 30.14 Executive agencies.
- 30.15 Governmental requisitions.

PUBLIC SALE

- 30.16 Individual books and supplements.
- 30.17 Subscription service.

AUTHORITY: The provisions of this Part 30 issued under sec. 6, 49 Stat. 501, as amended, sec. 11, 67 Stat. 388, as amended; 44 U.S.C. 306, 311. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

CROSS REFERENCE: For provisions respecting the structure of the Code, see §§ 17.4 to 17.10 of this chapter.

Subpart A—Publication

§ 30.1 Publication policy.

(a) Pursuant to the act and the provisions of this chapter, the Office shall maintain publication of a special edition of the FEDERAL REGISTER designed to present a compact and practical code entitled "Code of Federal Regulations."

(b) The Code shall be based with respect to continuity of coverage on the "Code of Federal Regulations, 1949 Edition" published pursuant to regulations of the Administrative Committee approved by the President October 11, 1948 (13 F.R. 5935). It is the intent of the Administrative Committee that every practical means be employed to keep this Code as current and as readily usable as possible within limitations imposed by considerations of dependability and reasonable costs.

§ 30.2 Form of citation.

The Code of Federal Regulations may be cited by title and section. The approved short form is by title number, initial letters of the name, and the combined part-section number. Thus 1 CFR 30.2 refers to Title 1, Code of Federal Regulations, Part 30, section 2.

§ 30.3 Unrestricted use.

There are no restrictions on the reproduction or republication of materials appearing in the Code of Federal Regulations.

§ 30.4 Orderly development.

For the purpose of assuring orderly development along practical lines, the Director is authorized to establish new

titles in the Code, and to rearrange existing titles and subordinate assignments. Before taking any such action, the Director shall consult with all agencies directly affected by the proposed change.

§ 30.5 General format and binding.

For the purpose of attaining maximum usefulness, prompt publication, and economy of manufacture, the Director is authorized to provide for the binding of the Code into as many separate books as are indicated by the needs of users and compatible with the facilities of the Government Printing Office. Books may have permanent bindings (with or without pockets for supplements) or may be paperbound when, in the judgment of the Director, frequency of revisions, user needs, or other good reasons make such binding preferable.

§ 30.6 Daily supplementation.

Documents subject to codification, published in the daily issues of the FEDERAL REGISTER pursuant to Subchapter C of this chapter, shall be keyed to the Code and shall serve as daily supplements thereto.

§ 30.7 Periodic supplementation and republication.

(a) **Criteria.** Each book of the Code shall be updated by a supplementary book or by collation and republication at least once each calendar year. If no change has occurred during the year, a simple notation to that effect may serve as the supplement for that year. More frequent supplementation or collation and republication of any unit of the Code may be made whenever the Director determines that the content of the unit has been substantially superseded or otherwise determines that such action would be consistent with the intent and purpose of the Administrative Committee as stated in the last sentence of § 30.1(b).

(b) **Annual cutoff date.** The regular cutoff date for the coverage of annual supplements or republications shall be the last publication day of each calendar year. The text of each annual supplement or republication shall be limited to provisions which have been fully promulgated in the FEDERAL REGISTER on or before the cutoff date.

(c) **Other cutoff dates.** When supplementation or republication occurs more frequently than once each year, the cutoff dates shall be determined by the Director with due regard for the coverage of pertinent indexes and numerical finding aids.

§ 30.8 Presidential documents, Title 3.

(a) **Compilation and republication.** The Office shall compile and publish annual supplements to Title 3. The supplements shall contain the full text of proclamations, Executive orders, and other Presidential documents published in the daily FEDERAL REGISTER during the calendar year. Annual books may be paper bound and shall include appropriate indexes and ancillaries. Every five years, or as determined by the Director to be required, the annual supplements shall be compiled and republished

in permanently bound form with consolidated indexes and numerical finding aids.

(b) **Codification.** It is the intent of the Administrative Committee that general and permanent Presidential documents of a regulatory nature also be codified under Title 3 or other appropriate titles.

§ 30.9 Indexes.

In general, each book shall include an explanation of its coverage and such other finding aids as may be authorized by the Director. A subject index to the entire Code shall be annually revised and separately published.

§ 30.10 Ancillaries.

The Code shall provide, among others, the following-described ancillary tables:

(a) **Parallel tables of statutory authority and rules.** In Title 2 or such other place as the Director may deem appropriate, numerical lists of all sections of the current edition of the United States Code (except 5 U.S.C. 22) which are cited by issuing agencies as rule making authority for currently effective rules in the Code of Federal Regulations. The lists shall be arranged in the order of the titles and sections of the United States Code with parallel citations to the pertinent titles and sections of the Code of Federal Regulations.

(b) **Tables of cited Presidential documents.** Under Title 3, tables of proclamations, Executive orders, and similar Presidential documents which are included or referred to in currently effective rules as published in the Code of Federal Regulations.

(c) **List of sections affected.** Following the text of each book or cumulative pocket supplement, a numerical list of all sections which are affected by documents published in the FEDERAL REGISTER on and after January 1, 1949. Listings shall refer to FEDERAL REGISTER pages and shall be designed to enable the user of the Code to assure himself of the precise text that was in effect on a given date in the period covered.

§ 30.11 Agency cooperation.

Each agency shall cooperate in keeping publication of the Code current by prompt compliance with deadlines set by the Office and the Government Printing Office.

Subpart B—Distribution

OFFICIAL DISTRIBUTION

§ 30.12 Congressional committees.

The Code shall be furnished to committees of the Congress in such numbers as are needed for official use. Authorization for furnishing such copies shall be submitted in writing to the Director by the Committee Chairman or his delegate.

§ 30.13 Judicial branch.

(a) **Supreme Court.** The Code shall be furnished without charge to the Supreme Court of the United States in such numbers as are needed for official use.

(b) **Other courts.** The Code shall be furnished without charge to the other

constitutional courts and to the legislative courts of the United States in such numbers as are needed for official use. Authorization for furnishing such copies shall be submitted in writing to the Director of the Federal Register and signed by the Director of the Administrative Office of the United States Courts or his delegate.

§ 30.14 Executive agencies.

The Code shall be furnished to officials, libraries, and major organizational units of the executive agencies as needed for official use. Authorization for furnishing copies shall be submitted to the Director in writing and signed by the authorizing officer or his alternate designated under § 4.1 of this chapter. Special needs for selected units of the Code in substantial quantity shall be filled by governmental requisition under § 30.15.

§ 30.15 Governmental requisitions.

Legislative, judicial, and executive agencies of the Federal Government shall be entitled to obtain selected units of the Code which are needed in substantial quantity for special distribution upon timely submission to the Government Printing Office of a printing and binding requisition (Standard Form 1).

PUBLIC SALE

§ 30.16 Individual books and supplements.

The books and supplements comprising the Code shall be placed on sale to the public by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at prices determined by him under the general direction of the Administrative Committee.

§ 30.17 Subscription service.

Subscription service on an annual basis to all revised volumes and supplements of the Code shall be obtainable from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at prices determined by him under the general direction of the Administrative Committee.

PART 31—U.S. GOVERNMENT ORGANIZATION MANUAL

PUBLICATION AND FORMAT

- Sec.
31.1 Publication required.
31.2 Format and indexes.

SCOPE

- 31.6 Executive agencies.
31.7 Congress and the courts.
31.8 Supplementary material.

LIAISON OFFICERS

- 31.11 Designation of special officers.
31.12 Duties of regular officers.

MANNER OF COMPILATION

- 31.16 Preparation of agency statements.
31.17 Agency review of drafts.
31.18 Other organization statements.
31.19 Apportionment of space.

OFFICIAL DISTRIBUTION

- 31.21 The Congress.
31.22 Congressional committees.
31.23 Judicial branch.

- Sec.
31.24 Executive agencies.
31.25 Governmental requisitions.
31.26 Extra copies.

PUBLIC SALE

- 31.28 Current edition of Manual.

AUTHORITY: The provisions of this Part 31 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

PUBLICATION AND FORMAT

§ 31.1 Publication required.

There shall be published, annually or at such times as may be determined by the Administrative Committee, a special edition of the *FEDERAL REGISTER* designated as the "United States Government Organization Manual."

§ 31.2 Format and indexes.

The Manual shall be separately published in handbook form, with appropriate indexes and ancillaries.

SCOPE

§ 31.6 Executive agencies.

Brief descriptions of the organization of the various agencies of the executive branch shall be published in the Manual. The text shall be based on the descriptions of organization required to be published in the *FEDERAL REGISTER* by section 3(a) (1) of the Administrative Procedure Act.

§ 31.7 Congress and the courts.

Brief descriptions of the organization of the Congress and of agencies of the legislative and judicial branches shall be published in the Manual.

§ 31.8 Supplementary material.

Brief descriptions of the organization of quasi-official agencies and similar supplementary information may be included in the Manual if, in the opinion of the Director, the material is of sufficient public interest to warrant such inclusion.

LIAISON OFFICERS

§ 31.11 Designation of special officers.

The Director shall request the agencies of the legislative and judicial branches and the quasi-official agencies represented in the Manual to designate special officers to maintain liaison with the Office of the Federal Register.

§ 31.12 Duties of regular officers.

Each liaison officer regularly designated under § 4.1 of this chapter shall review for accuracy the statement of agency organization submitted pursuant to § 31.17, and shall cause to be supplied any supplementary information concerning his agency which is to be included pursuant to § 31.8.

MANNER OF COMPILATION

§ 31.16 Preparation of agency statements.

The Office shall prepare an official draft of the descriptions of organization contemplated by § 31.6. In addition to identifying principal organizational units, these descriptions shall plainly indicate the places at which the public may

secure information or make submittals or requests.

§ 31.17 Agency review of drafts.

Each such official draft, together with related supplementary material, shall be submitted by the Office to the appropriate liaison officer for review as to accuracy. Changes in the official draft shall be limited to factual corrections and to the updating of text to reflect organization as of the cutoff date of the edition of the Manual in process.

§ 31.18 Other organization statements.

Brief descriptions of the organization of agencies of the legislative and judicial branches and of quasi-official agencies shall be prepared and submitted to such agencies with a request that they be reviewed for accuracy.

§ 31.19 Apportionment of space.

The Director is authorized to determine the apportionment of space in the Manual with a view to maintaining balance and uniformity of presentation.

OFFICIAL DISTRIBUTION

§ 31.21 The Congress.

Each Member of the Congress shall be furnished two free copies of the Manual; and each Member shall be entitled to receive not more than four additional free copies for official use. Authorization for the furnishing of such additional copies shall be submitted in writing to the Director by the authorizing Member.

§ 31.22 Congressional committees.

Each Congressional committee shall be entitled to receive copies of the Manual without charge in such numbers as are needed for official use. Requests for placement on the Manual mailing list shall be made in writing to the Director by the chairman of the committee or his delegate.

§ 31.23 Judicial branch.

(a) *Supreme Court.* The Supreme Court of the United States shall be entitled to 18 copies of the Manual without charge.

(b) *Other courts.* The other constitutional courts and the legislative courts of the United States shall be entitled each to one copy of the Manual without charge. Authorization for furnishing such copies shall be submitted in writing to the Director of the Federal Register by the Director of the Administrative Office of the United States Courts or his delegate.

§ 31.24 Executive agencies.

The head of each agency in the executive branch and each liaison officer designated under §§ 4.1 and 31.11 of this chapter shall be entitled to one free copy of the Manual.

§ 31.25 Governmental requisitions.

Legislative, judicial, and executive agencies of the Federal Government may obtain at cost copies of the Manual for official use upon the timely submission to the Government Printing Office of a printing and binding requisition (Standard Form 1).

§ 31.26 Extra copies.

All requests for extra copies of the Manual must be addressed to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, and such copies must be paid for by the agency or official requesting them.

PUBLIC SALE

§ 31.28 Current edition of Manual.

The Manual shall be placed on sale to the public by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at a price to be determined by him under the general direction of the Administrative Committee.

PART 32—PRESIDENTIAL PAPERS

Subpart A—Annual Volumes

PUBLICATION AND FORMAT

- Sec.
32.1 Publication required.
32.2 Coverage of prior years.
32.3 Format, indexes, ancillaries.

SCOPE

- 32.10 Basic criteria.
32.11 Sources.

OFFICIAL DISTRIBUTION

- 32.15 The Congress.
32.16 The Supreme Court.
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- 32.30 Publication required.
32.31 Format and indexes.
32.40 Official distribution.
32.50 Public sale.

AUTHORITY: The provisions of this Part 32 issued under sec. 5, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-58 Comp.

Subpart A—Annual Volumes

PUBLICATION AND FORMAT

§ 32.1 Publication required.

There shall be published forthwith at the end of each calendar year, a special edition of the FEDERAL REGISTER designated "Public Papers of the Presidents of the United States." Ordinarily each volume shall cover one calendar year and shall be identified further by the name of the President and the period covered.

NOTE: This program started with the year 1957.

§ 32.2 Coverage of prior years.

After conferring with the National Historical Publications Commission with respect to the need therefor, the Administrative Committee may from time to time authorize the publication of similar volumes covering specified calendar years prior to 1957.

NOTE: The Committee has approved the publication of volumes starting with the year 1945.

§ 32.3 Format, indexes, ancillaries.

Each annual volume, divided into books whenever appropriate, shall be

separately published in the binding and style deemed by the Administrative Committee to be suitable to the dignity of the office of President of the United States. Each volume shall be appropriately indexed and shall contain appropriate ancillary information respecting significant Presidential documents not published in full text.

SCOPE

§ 32.10 Basic criteria.

The basic text of the volumes shall consist of oral utterances by the President or of writings subscribed by him.

§ 32.11 Sources.

(a) The basic text of the volumes shall be selected from: (1) Communications to the Congress, (2) public addresses, (3) transcripts of press conferences, (4) public letters, (5) messages to heads of state, (6) statements released on miscellaneous subjects, and (7) formal executive documents promulgated in accordance with law.

(b) In general, ancillary text, notes, and tables shall be derived from official sources.

OFFICIAL DISTRIBUTION

§ 32.15 The Congress.

Each Member of the Congress, during his term of office, shall be entitled to one copy of each annual volume published during such term. Authorization for furnishing such copies shall be submitted in writing to the Director and signed by the authorizing Member.

§ 32.16 The Supreme Court.

The Supreme Court of the United States shall be entitled to 12 copies of the annual volumes.

§ 32.17 Executive agencies.

The head of each department and the head of each independent agency in the executive branch of the Government shall be entitled to one copy of each annual volume upon application therefor in writing to the Director.

§ 32.18 Governmental requisitions.

Legislative, judicial, and executive agencies of the Federal Government may obtain, at cost, copies of the annual volumes for official use upon the timely submission to the Government Printing Office of a printing and binding requisition (Standard Form 1).

§ 32.19 Extra copies.

All requests for extra copies of the annual volumes must be addressed to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Extra copies must be paid for by the agency or official requesting them.

PUBLIC SALE

§ 32.22 Sale of annual volumes.

The annual volumes shall be placed on sale to the public by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at prices determined by him under the general direction of the Administrative Committee.

Subpart B—Weekly Compilation

§ 32.30 Publication required.

There shall be published promptly, once each week, a special edition of the FEDERAL REGISTER designated "Weekly Compilation of Presidential Documents."

§ 32.31 Format and indexes.

The Weekly Compilation shall be published in the style and binding deemed by the Administrative Committee to be most suitable for public and official use. The Director of the Federal Register shall provide indexes and such other finding aids as may be appropriate to effective use.

§ 32.40 Official distribution.

The Weekly Compilation shall be furnished regularly to members of Congress and to officials of the legislative, judicial and executive branches of the Government in such numbers as are needed for official use. Authorization to make such distribution shall be made in writing to the Director and signed by the authorizing officer. Special needs for selected issues in substantial quantity shall be filled by the timely submission to the Government Printing Office of a printing and binding requisition (Standard Form 1).

§ 32.50 Public sale.

The Weekly Compilation shall be placed on sale to the public by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at a price to be determined by him under the general direction of the Administrative Committee.

SUBCHAPTER E—DEFINITIONS

PART 40—MEANING OF TERMS IN THIS CHAPTER

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AUTHORITY: The provisions of this Part 40 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

§ 40.1 Meaning of terms.

As used in this chapter, unless the context otherwise requires, terms shall have the meanings ascribed in this part.

§ 40.2 Act.

"Act" means the Federal Register Act, approved July 26, 1935, as amended (49 Stat. 500, as amended; 44 U.S.C. 301, et seq.).

§ 40.3 Administrative Committee.

"Administrative Committee" means the Administrative Committee of the Federal Register established under section 6 of the act.

§ 40.4 Administrative Procedure Act.

"Administrative Procedure Act" means the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237, as amended; 5 U.S.C. 1001-1011).

§ 40.5 Agency.

"Agency" means each authority, whether or not within or subject to review by another agency, of the government of the United States other than the Congress, the courts, or the Governments of the District of Columbia, the Commonwealth of Puerto Rico, or the territories or possessions of the United States.

§ 40.6 Code.

"Code" means the Code of Federal Regulations prepared and published by the Office pursuant to section 11 of the act, as amended.

§ 40.7 Director.

"Director" means the Director of the Office of the Federal Register, National Archives and Records Service, General Services Administration.

§ 40.8 Document.

"Document" means any Presidential proclamation or Executive order, and any rule, regulation, order, certificate,

code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by an agency, and any other instrument authorized or required by law to be published in the FEDERAL REGISTER.

§ 40.9 Document having general applicability and legal effect.

"Document having general applicability and legal effect" means every document issued under proper authority prescribing a penalty or a course of conduct, conferring a right, privilege, authority, or immunity, or imposing an obligation, and relevant or applicable to the general public, the members of a class, or the persons of a locality, as distinguished from named individuals or organizations.

§ 40.10 Document subject to codification.

"Document subject to codification" means any document which has general applicability and legal effect and which is in force and effect and relied upon by the issuing agency as authority for, or invoked or used in the discharge of, any of its functions or activities: *Provided*, That descriptions of organization published pursuant to section 3(a)(1) of the Administrative Procedure Act may be assigned to and published in the Code under special agreements authorized by § 17.2 of this chapter.

§ 40.11 Federal Register.

"FEDERAL REGISTER" means the daily issue of the FEDERAL REGISTER.

§ 40.12 Office.

"Office" means the Office of the Federal Register, National Archives and Records Service, General Services Administration.

§ 40.13 Person.

"Person" means any individual, partnership, association, or corporation.

§ 40.14 Publication day.

"Publication day" means the day designated by the date line of the FEDERAL REGISTER in which a document is published. The FEDERAL REGISTER is published Tuesday through Saturday. There is no publication on Sunday, Monday, or on the day after an official Federal holiday.

§ 40.15 Typographical unit.

"Typographical unit" means a grammatical paragraph or an obvious segment of printed text similar in appearance to a paragraph.

§ 40.16 Working day.

"Working day" means the period from 8:45 a.m. to 5:15 p.m., Monday through Friday of each week, except official Federal holidays.

By order of the Administrative Committee of the Federal Register.

DAVID C. EBERHART,
Secretary.

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